This edited volume is the first systematic socio-legal study of sex work in Croatia and Slovenia. It not only complements the existing public health (Croatia) and sociological (Slovenia) insights about the phenomenon in the two countries but provides a rich sociocultural and socioeconomic context of the experience of sex work / prostitution for future research. (…) In the context of international research, the book should be consulted for systematic and instructive insights into the phenomenon of sex work in a post-transitional European region.

• Aleksandar Štulhofer, Faculty of Humanities and Social Sciences, University of Zagreb

The monograph is an original scientific work based on an inclusive research which, by giving voice to subjects of research, has enabled researchers to cross the limits of established knowledge and contribute to new views on prostitution and sex work, and has opened the field of reflection in science, research, social movements and policies.

• Vesna Leskovšek, Faculty of Social Work, University of Ljubljana

Academics, activists and sex-workers will find this book informative and thought provoking regardless of their pre-conceived beliefs about prostitution. While ideological positions which represent sex work as either forced or freely chosen often frame prostitution research, the research which underpins this book avoids such simplistic dichotomies. The authors offer a nuanced qualitative analysis of sex-work law, policy and experiences in Croatia and Slovenia, two EU states where evidence-based policy making on sex-work is sorely lacking.

• Carol Harrington, Victoria University of Wellington

Prostitution in Croatia and Slovenia is a must read for anyone wanting to learn about sex work in the Balkans. It is a much needed book in light of the marginal status of sex work research, and dearth of official data and studies of sex work in both these countries (…) It is refreshing to read a book attempting to move 'beyond the binary' of theoretical approaches (…) in an attempt to foreground the lived realities of people who sell sexual services in Croatia and Slovenia. Another strength of the book is the production of research knowledge which is policy relevant; the authors make a range of recommendations informed by their findings and make a case for future polices and service provision which is informed by the needs of sex workers and are inclusive of sex workers' own experiences and views.

• Rosie Campbell, University of Leicester and University of York

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PROSTITUTION IN CROATIA AND SLOVENIA

Sex Workers' Experiences

Ivana Radačić & Mojca Pajnik (Eds.)

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PROSTITUTION IN CROATIA AND SLOVENIA

Sex Workers' Experiences

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The book is dedicated to sex workers and their struggle for equality and human rights.

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INTRODUCTION

Ivana Radačić & Mojca Pajnik

Prostitution in a Post-Socialist Context

Early positivist discussions that approached prostitution as a social deviation, which in a European context first emerged in Western European countries, influenced perspectives on prostitution elsewhere, including countries of the Central and Eastern European (CEE) region and the Balkans. Historical analyses (Radulović, 1986) show that early empirical studies from the former Yugoslavia approached prostitution primarily as a socio-pathological phenomenon. During the subsequent decades, publications on the subject of prostitution were quite rare, much like elsewhere in Europe. Moreover, the vibrant women's movement across the region, which created room for debate on gender inequality, hardly addressed prostitution publicly, unlike women's movements in Western and Northern European countries that soon faced polarised discussions on prostitution, oscillating between the violence and the sex work paradigm (Pajnik, 2013).

From the 1960s through to the 1990s, civil society movements and women's movements, feminist studies included, debated prostitution as a by-product of unequal gender relations. In international literature prostitution was predominately conceptualised as sexual violence against women and was associated with pornography or sexual slavery (Barry, 1985). Advocacy for such abolitionist perspectives on prostitution soon became the target of criticism. The movements for the self-organisation of sex workers that began to emerge during the early 1970s, first in the US and Western Europe (Gall, 2006), with CEE and the Balkans still lagging behind today, rejected the abolitionist argumentation on the grounds of its insistence on the universalistic conception of "women's sexuality" and disregard for the sex workers' diversity of experiences, but also on the objectification, passivisation and victimisation of women. The term "sex work" gained currency during the 1970s (Delacoste & Alexander, 1998), denoting commercial sexual services or performances provided in exchange for material gains, while in the decades that followed, sex work became associated with the growing global sex industry (Weitzer, 2003).

Studies indicated that global discourses on the web produced by non-commercial websites on prostitution and human trafficking show, generally, bipartite polarisation, i.e. the persistence of the so-called prostitution paradigm and the trafficking

paradigm, each representing a unique view of sexualities, with existent but weak linkages (Pajnik & Renault, 2014). Thus, the definition of prostitution as either violence or sex work continues to be the principal point of departure in academic, NGO and policy oriented debates internationally, Slovenia and Croatia included.

Our starting point in this research is a general recognition of understanding prostitution and sex work beyond the binary ideological framing, foremost recognising the many realities that people of different genders who sell sexual services experience. We recognise the importance of agency which is, however, limited in contemporary societies oriented towards profitability of market economies. Therefore, we recognise the predominant duality in understanding prostitution but are not preoccupied with it, i.e. it does not drive our own research. For us, it is pivotal to acknowledge that prostitution is a highly marginal phenomenon, largely burdened by morality, stigma, victimisation and polarisation, but foremost that it is a phenomenon related to other processes of marginalisation and marketisation in contemporary societies related to gender, ethnicity, sexuality and class inequalities.

Throughout the CEE and Balkan regions today, employment opportunities for women are low. Discrimination is pronounced within the private sector, where young women mainly work under short-term contracts or engage in casual work, and the recent recession seems to only aggravate the situation. The trend that forces women to accept low-paid, insecure work within the informal sector can be observed throughout the region (Corrin, 2005). It is also common for women from the CEE / SEE region to migrate to Western European countries in search of jobs, where, regardless of their qualifications, they end up performing domestic and care work, including sex work. The sex industry has grown immensely since 1989 with a push of socialist countries from their relative isolation into the global, marketised economy (Kligman & Limoncelli, 2005, p. 122).

The globalised sex industry in the region expanded rapidly after 1989, as did the related areas of pornography and strip/sex clubs and shops (True, 2003; Kligman & Limoncelli, 2005). In her analysis of the changed gender relations in the Czech context, True (2003, p. 27) argues that the marketisation and commodification of sex produced puzzling effects, with women appearing as both agents and victims of the transition process. While, on the one hand, it can be argued that the liberalisation of some countries contributed to the decriminalisation of prostitution, given that prostitution ceased to be considered a crime (like in Slovenia but not in Croatia), on the other, it did not have concrete positive effects on women in prostitution. Market liberalisation and European integration processes further created specific sexual desires and practices, with Eastern-European women being eroticised with the purpose of stimulating growth in the sex industry.

Prostitution in a Legal Context

Croatia and Slovenia have different legal models of regulating prostitution, despite sharing common historical experiences and being part of the same country. During recent history the policy has shifted a few times in both countries. From the beginning of the 20th century until the First World War, when both countries were part of the Austro-Hungarian Empire, the regulation of prostitution was left to local authorities with toleration being the general recommendation. Although regulations varied between different cities, most allowed for the operation of brothels, albeit on different terms. However, during the 1920s, calls for prohibition became vocal in both countries, coming in particular from the medical establishment and the Church. Feminist groups also called for the prohibition of prostitution and the criminalisation of both the women involved in prostitution as well as the clients (Zorko, 2006, p. 235). Prostitution became criminalised in 1929 with the Criminal Code of the Kingdom of Serbs, Croats and Slovenes, while the 1934 Act on the Suppression of STIs prohibited the keeping of brothels. The system of prohibition remained in force until 1941, when "the war circumstances and needs of the occupation armed forces led to the opening of brothels in all major cities and renewed police and health control of the prostitutes" (Marković, 1965, p. 40). The end of the Second World War brought yet another change in prostitution policy, with a departure from a regulatory regime to a prohibitionist one. Brothels were once again closed, and sex workers were either shot for collaboration with the enemy, or sent to sanatoriums, construction sites for forced labour, or to their place of birth (Radulović, 1986, pp. 181-182). The new society that was built after the war within the framework of the Socialist Federal Republic of Yugoslavia, adopted the policy of "revolutionary sexual puritanism" which impacted the prostitution policy (Radulović, 1987, p. 182). Prostitution was seen as a remainder of the bourgeois society that was to be abolished. The new federal Criminal Code of 1976 criminalised different forms of organising, instigating, aiding and abetting prostitution, while the Criminal Codes of the Republics criminalised pandering / pimping. Selling sex was not a criminal offence, but was considered an act of misdemeanour against public peace and order.

The 1977 Act on Misdemeanours against Public Order and Peace (AMPOP) was incorporated into the Croatian legal framework after its independence. Engaging in prostitution has hence been considered a misdemeanour, while all forms of organising and abetting prostitution are considered criminal offences, even voluntary and non-exploitative, as is advertising (self-advertising was excluded in 2015). Clients are not criminalised except when they use the services of minors, trafficked persons or those otherwise forced into prostitution, if they knew or should have known of these

circumstances. Two proposals have been put forward since Croatian independence to change the AMPOP to criminalise clients in all circumstances.

Slovenia also incorporated the Yugoslav AMPOP in its legal framework but decriminalised engaging in prostitution in 2003, based on a proposal that came from Liberal Democrats in 2001 when they were the lead party in the government. However, in 2006 a conservative government added a provision on "indecent behaviour" in the Protection of Public Order Act (Article 7), which penalises the offering of sexual services in public spaces if done in an intrusive manner and if the act disturbs anybody, provokes disquiet or indignation in others. The decriminalisation of selling sexual services in general redirected legal attention from sex workers to their abuse – it brought more emphasis on laws that deal with exploitation in prostitution. The Criminal Code hence contains a provision on the "abuse of prostitution" which penalises participation in prostitution for the exploitation of another person. Clients are not criminalised, except those who use services of minors or trafficking victims, in cases where they are aware of such circumstances.

These different regulations affect prostitution markets in both countries, as well as the experiences of sex workers. There is no official data on sex workers or prostitution markets in Croatia. It appears that prostitution in apartments is common, and there is still a significant number of street-based sex workers (primarily in Zagreb). Other markers include escort services, hotel services, erotic massage services, elite prostitution (e.g. on yachts during summer holidays). From the little sources we have (official police data and research), it seems that most sex workers (in the more poorly paid sectors of prostitution which have been the subject of analysis) have Croatian citizenship. However, our NGO informants spoke of migrant women who mostly come from less economically developed neighbouring countries during the holiday season.

The illegality of prostitution affects sex workers, especially those working on the streets, since they are the target of enforcement agents. They are often arrested arbitrarily, simply for standing in a suspect street. Moreover, it is not clear what constitutes the offence of engaging in prostitution and what evidence is required for conviction. The criminalisation framework has negative implications for sex workers' health and safety, which will be discussed in the subsequent chapters.

Data on prostitution in Slovenia are mere estimates as no longitudinal studies exist that would systematically research the prostitution markets. Similarly, as in Croatia, prostitution in apartments is quite common, as is hotel prostitution, escort services, prostitution in clubs or bars and in massage parlours. Street prostitution exists but is not a visible form. According to the estimates from the police, migrant women are more prone to work in clubs, often under close surveillance of intermediaries, while

women with Slovenian citizenship work in apartments, often alone, or they co-organise their work together with other sex workers (Pajnik, 2008). Holiday seasons have also been recognised in Slovenia as periods of increased demand for prostitution in the country. Some women cross borders to work in Italy and Austria, while the Slovenian market also attracts women coming from former Yugoslav Republics, mostly Croatia and Serbia. Decriminalisation has had positive effects on sex workers as they are no longer prosecuted. However, women are still faced with persistent problems such as lack of social and economic rights and stigmatisation, as will be discussed below.

There are also certain commonalities in the two countries. Sex workers' voices are not taken into account in public policy on prostitution in both countries. Moreover, it has been led more by ideological stances than with facts and evidence, as in many other countries (Wagenaar & Altink, 2012). No attempts have ever been made to include sex workers in public policy making, and there is no organisation of sex workers in either of the countries, unlike in some neighbouring countries of former Yugoslavia (Serbia, Bosnia and Herzegovina, Macedonia, Montenegro). On the other hand, the dominant feminist stance on prostitution in both Croatia and Slovenia is violence against women, influenced by the European Women's Lobby. Moreover, in both countries prostitution is highly stigmatised.

In both countries prostitution research has been marginalised and there is generally a lack of funding for such research. There is limited scholarship on prostitution (though more studies exist in Slovenia than Croatia). In Croatia there are only a few scholars interested in the topic of prostitution and they are in the fields of criminal law and criminology, mostly analysing the legal framework without engaging in actual empirical work (Kovčo Vukadin, 1998; Milivojević Antoliš, Mihajlović & Štrk, 2013; Kanduč & Grozdanić, 1998) as well as social epidemiology, showing interest in the risk of HIV and STIs transmission in sex workers (Štulhofer, Baćak, Drglin, Puljiz & Miklin, 2009; Štulhofer, Landripet, Božić & Božičević, 2015; Štulhofer, Sinković, Božić & Baćak, 2016). In Slovenia, prostitution has been analysed by a few researchers who have considered the criminal and legal aspects (Kanduč, 1998; Tratnik Volasko, 1996), and a journalist published a book based on discussions with sex workers about their experiences (Popov, 1999), while the only existing action research in a cross-country comparative perspective targeted HIV / STIs prevention and promoted sex workers' human rights (Tampep, 2009). In our own work, we have opened up the perspective of researching prostitution and its effects on the everyday life of sex workers (Pajnik, 2008; 2013). Moreover, we have analysed prostitution and its relation to migration, human trafficking, gender and labour and have pointed to the effects of new media on prostitution patterns (Pajnik, 2008; Pajnik & Šori, 2014).

A few studies in both countries have included interviews with sex workers, but only sporadically, leaving research on sex workers' own perspectives in need of further exploration. Moreover, there are no studies comparing Croatian and Slovenian prostitution polices and their impact on sex workers. Furthermore, both Croatia and Slovenia are under-represented countries with respect to international prostitution research. The theoretical framework of prostitution scholarship has been mostly informed by studies from Western Europe.

Research Objectives

The purpose of this exploratory study was to compare the differences and commonalities of Croatian and Slovenian prostitution policies – if and how the differences are reflected in legal discourses as well as the narratives of sex workers. In addition to the analysis of public policy documents and the case law on prostitution, we conducted interviews with the sex workers and other informants. Although focus on sex workers was originally planned, other informants were included in this study to provide a more holistic overview of this field.

By undertaking research in two post-transitional EU member states in which prostitution regimes fall outside the dominant frameworks (client criminalisation / legalisation), this study wanted to bring new perspectives to the scholarship on prostitution, which can make prostitution theories more inclusive. It questions the main concepts of victimhood vs. agency, work vs. violence in the context of specific cultural, economic and political circumstances of the two countries. This study applies a critical perspective that acknowledges the multidimensionality of the phenomenon determined by the economic situation of a specific society, normative sexual practices, the relationship between sexuality and identity, legal norms, cultural patterns and values (Pajnik, 2008; Scoular, 2010). Challenging the binary construction of prostitution as work or violence and concerned with the violations of the sex workers' human rights, the project adopts a perspective to the under-researched phenomenon that is attentive to the agency of sex workers.

The goal of the study was not only to enhance scholarship, but also to challenge the marginalisation of sex workers and provide data and recommendations for policy change, which would be in line with the human rights standards and help incorporate good practices in comparative prostitution policies. We also hoped that the study might empower sex workers. With this in mind, we have created two booklets: one for sex workers explaining the concept of human rights and some of the rights they have under the two legal frameworks, and one for policy makers and policy implementers containing recommendations for improvement given by the sex workers

themselves.[1] We also set up a website in three languages (Croatian, Slovenian and English), where we publish relevant literature, project outcomes as well as excerpts from sex workers' interviews (www.prostitution-cro-slo.com).

Research objectives have influenced the terminology that we use in this study. We acknowledge the importance of terms such as sex work and sex worker used by sex workers' rights activists to resist the dominant representation of prostitution as all violence and the persons involved in prostitution as victims. However, we use the term prostitution to signify the sector of the industry / type of work we are analysing. Furthermore, while we mostly use the term sex worker (in recognition of people's agency), both as a general term, and with respect to our research participants, it has to be stated here that not all of them define themselves in this way (though most prefer this term). We thus try to be attentive to their perspectives and to terminology that appears in their narratives. Moreover, in addition to using the terms intermediaries or organisers in prostitution, we also use the term pimp if this appears in the narratives of sex workers.

Methodology

Using the methods of critical (socio)legal analysis, we examined cases concerning prostitution before selected courts where the final judgment was issued in 2015 and 2016. The following information was analysed: available relevant socio-demographic data on perpetrators (sex workers in cases of misdemeanour courts' cases, and intermediaries, some of whom were sex workers, in criminal courts' cases) and victims (in cases of criminal courts), data on arrests, data on offences (when they took place, what were the main elements) and interpretation of offences, what were the judgments (acquittals, convictions, dismissals) and penalties. The analysis was based on a theoretical framework which questions forced / voluntary, agent / victim dichotomies (Pajnik 2008; 2013).

In Croatia, this included cases of both misdemeanour courts (*prekršajni sudovi*), competent for judging the misdemeanour offence of engaging in prostitution, and municipal criminal courts *(općinski kazneni sudovi*), competent for judging the criminal offence of prostitution, in Zagreb and Split. There were 53 misdemeanour cases and three criminal court cases. The analysis was conducted in Zagreb in March 2017 and in Split in June 2017.

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1 Booklets are available in the Croatian and Slovenian languages, they appeared in print and are also accessible on the project's website (www.prostitution-cro-slo.com).

In Slovenia, county courts (*okrajna sodišča*) are responsible for misdemeanour offences according to the Protection of Public Order Act. The court in Ljubljana (and several other cities) in the timeframe 2015–2016 had no legal cases related to prostitution as indecent behaviour. Ljubljana District Court (*okrožno sodišče*), competent for Criminal Code related cases of prostitution abuse, similarly issued no final judgments in relation to this crime in the mentioned timeframe. Hence, we have adapted our analysis to reflect the complex legal framework and its shifts in Slovenia based on expert interviews with specialised state prosecutor and criminal police inspector. Also, we have included the analysis of statistical data on prosecution of abuse in prostitution and have added a reflection on our past case law analysis.

This exploratory study also included semi-structured interviews with sex workers, as well as other informants who are in direct contact with them. The focus of this study was to concentrate on the lived experiences of sex workers and to give them a voice in line with feminist methodology (Fonow & Cook, 2005). Hence, qualitative methods were chosen. A semi-structured interview with elements of a narrative interview for sex workers included the following areas of enquiry: Public and media perception of prostitution; Work experiences (including other work experiences, pathways in and within prostitution, reasons for engaging in prostitution, dislikes and likes of sex work; positive and negative experiences); Relationships with other actors in the industry (clients, intermediaries, and other sex workers); Relationships with actors in institutional settings (police, legal system, social and health services, NGOs); Relationships with friends and family; Recommendations; Plans for the future. At the end of each interview, a demographic questionnaire was also used, including questions such as: age, gender, birthplace, citizenship, nationality, religion, language, marital status, children, sexual orientation, education, employment status, main sources of income, housing situation, material status and self-evaluations of health. Interviews with other informants were adapted to suit their area of expertise and experience.

The open-ended nature of these interviews allowed discussions to flow freely if participants wanted to explain something further. All research participants were able to talk about things of importance to them during these interactions, as well as convey the multitude of meanings that they attribute to their experiences. This corresponds to the goal of qualitative research, which is the development of concepts that helps us to understand social phenomena in natural settings, giving due emphasis to the meanings, experiences and views of all the participants (Mays & Pope, 1995). Since participation in this study was on a voluntary basis, participants were given the option of skipping questions and ending the interview at any stage. To preserve the anonymity of the sex

workers who participated in this study, all names and other identifying characteristics have been changed.

Due to different contexts and to the different challenges the researchers faced in their field work in the two countries, the number of sex workers interviewed also differed, as did the sample. Indeed, while in the Slovenian sample most persons entered prostitution for financial reasons, in the Croatian sample pathways included drug addition, dysfunctional families and coercion. In the Slovenian sample the paradigm of work was more prevalent, while in the Croatian sample narratives of violence dominated the interviews. Wary of simplistic dichotomies along the dualism of work and violence and their implications for policy and practice, we have tried in both cases to reflect the complexities of our participants' stories.

Moreover, as interviews with informants were originally not envisaged, there was a greater flexibility in choosing who to interview. This was again context-dependent and was also dependent on the contacts researchers were able to establish in the relatively short time frame of the project (altogether a year and a half).

In Croatia we managed to recruit six sex workers, all of whom were women. Several different methods were used to access sex workers in this study, which had specific difficulties considering the illegality and stigmatisation of prostitution in Croatia. First, contact was attempted through advertisements for sex services. Although a number of different advertising avenues[2] were contacted several times by all researchers, we had little response, possibly because there was little time to build up rapport and trust, which are very important and usually necessary in the research relationship (Oakley, 1981). Still, the project's assistant, who had prior sex working experience, managed to recruit a few sex workers via this avenue. Contacting NGOs who work with sex workers and distributing leaflets with information about the study was another method that was employed in this study. Several participants were recruited by the NGOs in Split and Rijeka, while none were recruited by the NGO in Zagreb. Finally, team members posted leaflets with information about the study on sign posts and trees in streets where street-based prostitution occurs. This immediately stirred media attention, which was another way people (one of the organisers and a former client) found out about the study.

In addition to sex workers, we interviewed ten informants. These included the representatives from relevant NGOs – three NGOs which conduct harm reduction programmes with street-based and drug using sex workers: LET (Zagreb), HELP (Split) Terra (Rijeka), and a representative of the NGO that works with trans*, inter* and gender

2 These included for example: Slavic escorts; City of love; Mala vrata; CroEscort; Happy escort; Plavi oglasnik; Facebook; Poznanstva-burza oglasnik and Rentmen.

variant community Trans Aid (Zagreb). The informants also included others who have had experience in working with sex workers, such as: a judge of the High Misdemeanour Court, a lawyer who has represented victims of criminal offences related to prostitution and trafficking, and a priest who has been helping street-based sex workers in Zagreb. Three intermediaries and a former client responded to our calls and were also interviewed.

Interviews were conducted in Zagreb (in the offices of the Institute) and Split (at HELP premises) in the first half of 2017. They were of varying length; most of the interviews lasted for an hour, while the longest was three hours long. All interview material was recorded and transcribed, word for word with the participant's knowledge and oral consent.

In Slovenia nine sex workers who work in various sectors of prostitution, including escort and erotic massage, were interviewed. We obtained the contacts of sex workers and of sex work organisers through personal contacts, as well as through Slovenian web portals, which advertise sex work, such as Sloescort.com and Salomon.si. We called the sex workers who advertise on these platforms and work in Ljubljana. In several cases women had firstly agreed to the interview that did not happen in the end – our field work shows that women carefully manage their time and that some consider any risk whatsoever of potential exposure a hindrance, which results in declining a request for cooperating in research. Other means of recruiting interviewees included contacting NGOs, hotels, bar owners, taxi drivers as well as workers in health and tourism, which has, however, shown little results.

The interviewees mostly worked in Ljubljana, and the place of the interview differed. In most cases it took place in bars, in two cases the interviews were held in apartments where the sex workers worked, and one was carried out in an erotic massage salon. To get insight into the organisational aspect, we have included an interview with one co-owner of a sauna club who works in the Primorska region and two owners of a massage salon in Ljubljana. In our previous work we had already conducted research that included the expert opinion of NGOs (Pajnik, 2008) and have, for the purpose of this research, included other expert interviews that were focused mostly to offer reflections on policy and policy implications of the decriminalisation framework. As noted above, the interviewees included two specialised state prosecutors and a senior criminal police inspector specialist.

The interviews were carried out in the first half of 2017. They lasted from one hour to almost up to three hours. The majority of the interview material was recorded and transcribed, with the interviewees' oral consent. One sex worker and a sauna-club owner who did not want to be exposed, but wanted to participate in the research, responded to our interview in writing. Our interview analysis is based on transcripts

and it also includes protocols in the form of field notes that were written by researchers after the interviews. To reassure that the interview partners provided their narration in the language of their own choice, one interviewee gave the interview in Serbian.

Ethical Issues

The teams in both countries were sensitive to the principle of protecting the rights and freedoms of individuals, notably the right to privacy anchored in the EU Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data 95/46/EC, which was adhered to with respect to gathering, analysing and maintaining empirical data. Teams acted in accordance with national legislation in the research field concerning the protection of personal data, EU and international regulations, and with ethics codes that have been developed by the professional associations of social scientists and social research institutions. In addition, a workshop on ethical considerations for research team members was held prior to this project's commencement.

Prior to participation, all sex workers were asked for their oral consent.[3] They were informed about the aims of the project and were told that the focus of this study was hearing "their voices and opinions" in line with feminist methodology. The voluntary nature of this study was also clearly explained so that they did not feel obliged to participate. Sex workers were also guaranteed anonymity and confidentiality, considering the risks involved. Potential participants were told about the study and what exactly was required from them (interview, questionnaire, digital recording, etc.) as well as how the research results would be used. They were also provided with contact information if they required any further information.

Data Analysis

Analysis was thematic and inductive, based on the principles of grounded theory (Glaser & Strauss, 1967; Strauss & Corbin, 1990). Grounded theory privileges the collection and inductive interpretation of empirical data to generate meaning and theoretical insight (Charmaz, 2006). First, the research team members examined the transcripts several times to become familiar with the material and consider its overall meaning in the given contexts. This involved close reading of the interview transcripts, noting central concepts, key emerging themes, patterns, consistencies, contradictions and variation. This inductive approach allowed themes to emerge from the data rather than imposing a 'top-down'

[3] This was preferred to written consent as a less invasive form considering the context of illegality (in Croatia) and stigmatisation surrounding sex work (in both countries).

approach in which themes were previously determined and sought from the data. These open coding methods were initially used to discover experiences, characteristics, and concepts that research participants understood as important or significant in their lives. To ensure analytic rigour, preliminary codes were reviewed by the research team for accuracy and were refined, as needed. The interpretation process started by organising and summarising the data into thematic areas as well as the integration of observations from different members of the research team. As our analysis was data driven, there are some differences in the structures of the Slovenian and Croatian chapters, which is also a result of different policy and legislative approaches to prostitution in both countries.

Structure of the Book

This book is organised in two parts: Croatian study and Slovenian study. Each part contains chapters exploring the same topics: Prostitution Policy and Practice; Sex Workers and Sex Work; Relationships with Clients; Relationship with Intermediaries; Relationship with the Police, Recommendations. The book concludes with a short chapter that summarises the two studies and discusses the differences and similarities of the Croatian and Slovenian context, together with the implications of these studies for research and public policy.

The chapters follow to a large extent the same structure, as both teams used the same methodology and agreed on the interview questions. However, samples differ not only in numbers, but also in terms of socio-demographic characteristics, as well as in work and life experiences of the sex workers. Furthermore, different teams consulted different expert informants and the legal and socio-political contexts differ. These differences are reflected in the collected data from which different topics emerged as relevant.

In the Croatian policy chapter there is an extensive discussion of case law, while in the Slovenian chapter the focus lies in unravelling the complexities of legal framework with reference to expert interviews and general statistical data on legal practices. The Slovenian chapter on sex workers includes a discussion on the perception of sex work as work, as this was one of the prominent topics in the collected data, the sample consisting mostly of people who entered prostitution as a business. This was not the case with the Croatian sample, which includes mostly women who work in more precarious circumstances. In light of this, one of the relevant topics that emerged from the Croatian data was the needs of the vulnerable sex workers and lack of services to address those needs.

The chapters on clients and intermediaries analyse the sex workers' positive and negative experiences with these parties. While some themes were common to both countries, specific topics are discussed in the Croatian and the Slovenian chapters. The chapters on the police highlight experiences our interviewees had with police forces

in various police interventions. Different legal frameworks impact police work; hence these chapters are again different for Croatia and Slovenia, though some similar topics also emerged. The concluding chapters on recommendations use the sex workers' own recommendations to improve their conditions as well as internationally recognised standards on prostitution and good practices.

[Some of the information contained in Prostitution in a Post-Socialist Context and Prostitution in a Legal Context has already been presented in previous publications of the two authors (Pajnik, 2013; Radačić, 2017). Lynette Šikić Mićanović wrote a first draft of the parts on methodology, ethics and data analysis in relation to the Croatian study, while Emanuela Fabijan drafted the description of the sample for the Slovenian study.]

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CROATIA

PROSTITUTION POLICY AND PRACTICE: CRIMINALISATION FRAMEWORK

Ivana Radačić

Introduction

Prostitution is still a taboo topic in Croatia, discussed primarily as a "social evil" in both policy documents (Ministry of Interior, 2016a) and academic literature (Milivojević Antoliš, Mihajlović & Štrk, 2013; Kovčko Vukadin, 1998). The discourse of "social evil" is legally translated into the framework of criminalisation. Not only are all forms of organising and abetting prostitution criminalised, engaging in prostitution is considered a misdemeanour offence, despite the international consensus that sex workers should not be penalised (Radačić, forthcoming). Further, there is a lack of support measures, insufficient research on prostitution and no sex workers' rights activism. The Croatian prostitution policy is hence lagging behind contemporary good practices in this area.

This chapter provides an overview of Croatian prostitution policy and practice. I start by discussing the legal framework and continue with an analysis of the official data on prostitution related proceedings, as well as the recent case law of the misdemeanour courts and municipal criminal courts in Zagreb and Split, to see how the legal framework is implemented in practice. I then give an overview of available data, research and discourses on prostitution in Croatia and will conclude by summarising the findings.

Legal Framework

The Act on the Misdemeanours against Public Order and Peace and its Implementation

The Act, adopted in 1977 (when Croatia was part of the SFRY) and transferred into Croatian legislation with minor amendments in 1990,[1] prescribes two offences: allowing for the use of one's premises for prostitution or enabling or helping a person to engage in prostitution (Article 7); and engaging in / "falling into" prostitution (*odavanje*

[1] *Official Gazette* nos. 41/77, 53/87, 55/89, 5/09, 30/90. In 1994, the fines were changed by the amendments of the Act on amendments of the acts on fines for commercial offences and misdemeanours (Zakon o dopunama Zakona o izmjenama i dopunama zakona kojima su određene novčane kazne za privredne prijestupe i prekršaje), *Official Gazette* 29/94. They were expressed in the value of Deutsche Marks.

prostituciji) (Article 12). There is lack of clarity about what constitutes the offence of engaging in prostitution. According to the commentators, the term should be interpreted as the repeated selling of sexual services (Milivojević Antoliš, Mihajlović & Štrk, 2013), but judicial practice is not consistent, as will be seen below.

The penalties for either offence are a fine (maximum the equivalent of 175 euros for Article 7 offence and of 100 euros for Article 12 offence) or imprisonment (maximum 60 days for Article 7 offence and maximum 30 days for Article 12 offence). In relation to the Article 12 offence, two security measures can be ordered: obligatory treatment of STIs or AIDS, and expulsion from the council in which the offence was committed for a period ranging from 30 days to six months.

In 2012 and 2016, proposals for criminalising clients (in addition to sex workers) were issued by the Government, but had not been presented to the Parliament.[2] Under these proposals (Ministry of Interior 2012; 2016a), requesting (in public) and receiving sexual services (anywhere), offering sexual services (in public) and selling sexual services (anywhere) would all be criminalised. Further, penalties would be much higher: equivalent to 267-667 euros for offering and requesting services in public and 400-935 euros or up to 40 days imprisonment for giving and receiving sexual services. This would worsen the already difficult economic position of most of the sex workers who found themselves caught up in the net of the criminal justice system. While the Government referred to the Swedish model, heightened criminalisation of sex workers is not in line with the stated purpose of this model.

The Criminal Code

Article 175 of the Criminal Code criminalises prostitution under the section "Offences against Sexual Freedom".[3] The basic offence comprises of instigating or soliciting persons for offering sexual services as well as organising or abetting prostitution in exchange for material or other benefits, for which imprisonment from six months to five years is prescribed. Consent of the person to engage in sexual services is irrelevant, as is the fact that s/he was previously engaged in prostitution. The aggravated form of the offence presupposes some form of compulsion (force, threat, deceit, abuse of power), for which one to ten years imprisonment is prescribed. The use of services of a person who has been compelled to sell sex is also criminalised with the

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2 In the first case, the Prime Minister disagreed with its content, while in the second case the Government received a lack of confidence vote after the Proposal of the Act on Misdemeanours against Public Order and Peace was opened for public consultations..

3 *Official Gazette* nos. 125/11 and 144/12, 56/15 and 61/15.

same penalty (if a person knew or should have known that there was some form of compulsion). Furthermore, advertising of sexual services is criminalised (with up to a three-year imprisonment sentence), but since May 2015 self-advertising is no longer a crime (*Official Gazette* no. 56/15).

Pandering of a child is criminalised under the section "Offences of Abuse of Children". The offence of the pandering (Article 162) of a child is similarly constructed as the offences of prostitution, but penalties are more severe: one to ten years imprisonment for a basic form and three to 15 for an aggravated form. The use of services of children is also criminalised: where the child is under no obvious compulsion, a penalty of six months to five years imprisonment is prescribed, while the use of services of a child where compulsion is applied is criminalised by three to 15 years imprisonment.

The offence of trafficking, criminalised under the section "Criminal Offences against Humanity and Human Dignity" (Article 106), is modelled on the definition of trafficking in the Protocol to Prevent, Supress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Organised Crime (Palermo Protocol). Its elements are 1. the use of some form of compulsion, 2. to solicit, move, hide or exchange human beings, 3. for the purpose of exploitation, inter alia, for prostitution. Consent is irrelevant, and no compulsion is necessary when a child is being trafficked, while compulsion in such cases makes the offence an aggravated one, with a penalty of three to 15 years imprisonment. The use of services of a trafficked person is an offence, penalised with the same penalty as for traffickers. Enforced prostitution is also listed as a crime against humanity and a war crime under the same section.

Implementation of Laws

Official Data on Misdemeanours and Criminal Offences

Official data is available from the Ministry of Interior, which publishes annual reports on misdemeanours and criminal offences. According to this source (Ministry of Interior, 2017; 2016b), in 2016 and 2015 there were 104 misdemeanours of engaging in prostitution (32 in 2016 and 72 in 2015) and eight misdemeanours of enabling prostitution (five in 2016 and three in 2015). In the first category, there were 107 offenders (33 in 2016 and 74 in 2015) of whom 102 were women (30 in 2016 and 72 in 2015), and in the second category there were eight offenders, of which seven were men; 33 (four in 2016 and 29 in 2015) were repeat offenders. There were two minor offenders (male) in 2016. The street was the place of commission in the majority of cases – 60 cases (13 in 2016 and 47 in 2014) of the first category and five cases (three in 2016 and two in 2015) in the second category.

In 2016 and 2015 there were 240 reported crimes of prostitution (71 in 2016 and 169 in 2015). Of 62 offenders (15 in 2016 and 47 in 2015), 30 were men (22 in 2016 and eight in 2015) and 32 women (seven in 2016 and 25 women). All 295 victims (81 in 2016 and 124 in 2015) were women.

The data show how implementation of both laws is gendered: sex workers, the vast majority of whom are women, are the primary target of the law, and those in the most precarious situations (street-based) are over-represented as defendants in misdemeanour proceedings. Further, not only are women the majority of victims, they also constitute the majority of the defendants in the criminal proceedings. Similar findings arose in our research of the practices of the misdemeanour and municipal criminal courts in the two main Croatian cities with the largest prostitution markets.

Practice of the Misdemeanour Courts in Zagreb and Split

There were 27 cases available at the Zagreb Misdemeanour Court and 25 at the Split Misdemeanour Court where the final judgment was issued in the period 2015-2016, and they all concerned an Article 12 offence (engaging in prostitution). The practice of the two courts differs with respect to the socio-demographic characteristics of the offenders, place of commission of the offence, interpretation of the offence, penalties and the way of conducing proceedings (urgent or regular).

There were 21 defendants in the Zagreb sample (all female) and 27 defendants in the Split sample (26 female and one male, who worked together with his wife). Defendants in the Zagreb sample were aged from 23 to 64, most of them being in the 40-50 age range. Defendants in the Split sample were between 25 and 65 years of age, but most of the offenders fell in the range of 30-40 years old. The level of education was slightly lower in the Zagreb sample: ten finished high school, eight finished primary school, one finished first four grades of primary school and two had no schooling. In the Split sample, 18 finished secondary school, three finished primary, two were pupils and one was a student at the time of the commission of the offence. All of the defendants were in a difficult economic position and many indicated this as the reason for engaging in prostitution. The entire Zagreb sample was unemployed, while there were three employed persons in the Split sample. Another difference was that most of the offenders in the Split sample were not living in Split, while all offenders from the Zagreb sample were living in Zagreb, and the Zagreb sample had more repeat offenders.

These differences in the samples are mostly due to the fact that the vast majority of cases judged by the Zagreb Misdemeanour Court concern outdoor prostitution (the place of commission of offences was the street in all but three cases where it was a

flat), while all of the Split Misdemeanour Court's cases concern indoor prostitution. The police in Zagreb target street-based sex workers by conducting street raids,[4] while the police in Split target (lower level) indoor prostitution advertised in different journals or web portals by undertaking undercover operations. Indeed, our interviewees from Split stated that street prostitution in Split, which is much smaller compared to Zagreb, was not actively policed (though sex workers are used as informants).

A further difference with respect to police action in Split and Zagreb is that those working on the street in Zagreb were in most cases arrested (in all but two cases), while no arrests were recorded in the Split sample. These arrests are problematic as they are not always based on reasonable suspicion, since, according to our informants, everybody standing on the street is liable to being arrested.[5] Moreover, while in most cases the reason for arrest stated in the official records was the danger of repeating the offence, in some cases all three legally prescribed reasons were stated (Pp-J 1502/15-3, Pp-J 296/15, Pp-J 860/15, Pp-J 962/15)[6] or no reason was given (Pp-J 732/16, Pp-J 465/15), which is problematic from the perspective of the requirements of the right to liberty and security. When a suspect is arrested, urgent proceedings are conducted, which is hence the case with the vast majority of Zagreb cases.[7] The practice of undercover operations used by the police in Split in *private* flats is also problematic, as the offence is prescribed in the Act on Misdemeanour against *Public* Peace and Order.

Interpretation of the offence varies among courts and different judges of the same court. According to the practice of the Zagreb Misdemeanour Court, a sufficient element of the offence is to "offer sexual services to unknown males for monetary compensation". Sometimes the price is specified and sometimes it is not. Moreover, sometimes the charges stress that this is done frequently, and sometimes this does not seem to be relevant. Most of the convictions are based on confessions (given without

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4 In three cases where the place of commission was a flat, the police was called – in one by sex workers (Pp-J 65/15), and in two others by clients (Pp-J 732/16 and Pp-J 3698/16).

5 The NGO informant told us that even the NGO workers had occasionally been arrested in the course of raids. This will be discussed further in the chapter on the police.

6 These are: danger that a suspect would flee, or interfere with evidence or proceedings, or there are special circumstances which point to the danger that the offence of the same kind will be repeated. Article 135 (1) of the Misdemeanour Act (*Official Gazette* no. 107/07, 39/13, 157/13 and 110/15).

7 Only two cases were conducted through regular proceedings and a further four were initiated after the suspect appealed to the penal order issued by the police. When a suspect is arrested, s/he has to be brought before the judge within 12 hours, and exceptionally within 24 hours from the arrest. Article 134(3) of the Misdemeanour Act (Prekršajni zakon). *Official Gazette* nos. 107/07, 39/13, 157/13, 110/15 and 70/17.

legal representation). In only two cases the defendant did not confess, claiming that she had been waiting for a tram when the police officer had approached her, but in both cases the judges believed the police officers, who submitted that they had seen the defendant talking to men (Pp-J 3891/15 and Pp-J 632/15). In one of these cases (Pp-J 632/15) the judge took it as evidence of the concrete offence that the defendant said that she supported herself through prostitution, when asked about her personal circumstances. Thus, according to this judge, it seems that a particular offence does not need to be specified. This makes prostitution a "status offence", which has significant implications for not only the right to a fair trial (presumption of evidence) but also the right to a private life: once the person is known to have done sex work, there is a presumption that she is always doing it, which is difficult to refute.

Such interpretation of the offence is in contrast to the approach of one judge at the Split Misdemeanour Court. Generally, indictments look different in the Split cases: the charges relate to *giving* (rather than offering) sexual services to different men for a longer period of time, as established on a specific date when a police officer, posing as a client, had questioned the suspect. As defendants confess in the vast majority of cases, such unspecified indictment constitutes a sufficient ground for conviction. However, in two cases where the defendants did not confess, the offences were considered not proven, and the defendants were acquitted. The judge who tried these cases emphasised that in addition to establishing "repeating of the offence as a trade for gaining material benefit", a concrete offence needed to be specified in each case – persons involved, amounts of money and time of commission must be established (Pp-J 4252/15). Hence the charges that the person had given sexual services to different men in a specified seven-day period were rejected. The same judge in another case further held that one-off selling of sexual services or advertising also does not constitute the offence (Pp-J 5556/15).

On the other hand, one judge of the same court held that simply the fact that the defendant had arranged to give sexual services for money (even though she had never before given sexual services) was sufficient, even though there was no indicia that prostitution was her way of earning money (Pp-J 2097/16). This shows that there is no consensus on the elements of the offence, which was problematised by the High Misdemeanour Court judge, who was of the view that concrete evidence of a specific offence was indeed required in each case. She also problematised the speediness in which proceedings were conducted, as this can result in cases of trafficking victims being convicted (which in her view had occasionally been the case), since no investigation into reasons for prostitution are undertaken.

Acquittals are extremely rare: in our sample there were only two, both before the Split Misdemeanour Court. Penalties included fines ranging from 115 kuna (cca

16 euros) to 760 (cca 100 euros), conditional prison sentences in two cases and an unconditional prison sentence in one case.[8] In one case of the Zagreb Municipal Court (Pp-J 963/15) an expulsion order for a six month period was ordered. Fines are generally higher in Split – the vast majority is a maximum fine equivalent to 100 euros. In Zagreb, the fines are usually the equivalent of one day in prison (cca 40 euros), and since most women have spent time in custody they did not need to pay anything, as they were also absolved from paying for the proceedings costs. Mitigating circumstances include confession, redemption and sometimes hard economic situations, while the most commonly stated aggravating circumstances are previous convictions. These circumstances are, however, not discussed in all judgments.

Analysis of the case law shows discrepancies in the work of both the police and the judiciary in Split and Zagreb and lack of legal certainty with respect to the elements of the offence, as well as problematic practices of arrests. Even though police in Zagreb and Split target different prostitution markets, both of these concern more precarious forms of prostitution. Hence, women in the most vulnerable of circumstances seem to be a target of the criminal justice system. Further, street-based sex workers are frequently arrested, even when this is not warranted by the circumstances. They frequently spend a night in jail, which might be specifically problematic for women with underage children. Sex workers are penalised even when they call the police for protection against violent clients (Zagreb Misdemeanour Court case no. Pp-J 1209/15, for example). In addition, if they work with other women they can also be subject to criminal proceedings, and they had previously been subject to criminal proceedings for advertising sexual services quite frequently.

Practice of the Municipal Criminal Courts in Zagreb and Split

There are only three cases concerning prostitution, judged by the two courts in 2015 and 2016, which were available at the time of research. This number, compared to 53 misdemeanour cases, indicates that the targets of the criminal law system are sex workers themselves. Out of these three cases, two concerned the basic form of offence, organising prostitution without elements of compulsion, and one concerned an aggravated form, where compulsion was used. There were three defendants, two of

[8] An unconditional prison sentence was issued by the Zagreb Misdemeanour Court in the case in which the defendant denied committing an offence, but had had many previous convictions for prostitution (Pp-J 2891/15). The conditional prison sentence was issued by the same court in the case of indoor prostitution, where the client had died (Pp-J 465/15). A conditional prison sentence was issued by the Split Misdemeanour Court in a case which did not differ much from the others, and the defendant admitted guilt (Pp-J 233/15).

whom were men, and one was a woman. All three victims were women. The defendants were aged between 49 and 56, and the victims between 19 and 55 at the time of the commission of the offences.[9]

In one case, judged by the Municipal Criminal Court in Zagreb (K 117/2015), the defendant was a woman who performed erotic massages together with her female friend, and both of them were in a difficult economic situation. She was charged with advertising her own and her friend's services and organising her friend's prostitution: she rented the flat, paid the rent, took care of the flat, changed the sheets and supplied the condoms while receiving half of her friend's earnings. The charge of self-advertising was dropped when the Criminal Code changed in 2015. Soon after, the prosecution abandoned all the other charges, as the witness changed her testimony denying that the massage had included sexual services, while the testimony she had given to the prosecutor could not be used due to procedural errors.

In two of the cases the defendants were men. One, judged by the Split Municipal Court (Kv 589/2016), concerned a basic form of the offence, though the difference in comparison to the above cases was that the relationship between the defendant and the victim seemed to have had some elements of exploitation. It was the defendant who suggested to the victim, suffering from depression and split personality, who was in love with him, to work in prostitution. She gave him all the money, while he provided advice on advertising, protection and driving services. He was sentenced to a year and a half imprisonment. His previous conviction for the same offence was taken as an aggravating circumstance, while his confession, redemption and his bad health conditions were taken as mitigating circumstances.

Another case, judged by the Zagreb court (KO 474/20015), concerned an aggravated form of offence. A much older defendant forced a young vulnerable woman to engage in prostitution by using threats and violence, which he exerted during their romantic relationship. He took all of the money. He was sentenced to three years imprisonment, mitigating circumstances being his health condition and aggravating a previous conviction for the same crime.[10]

Even this small sample shows that the offence of prostitution is defined in an overbroad manner, whereby non-exploitative and consensual third-party acts are also included, meaning that sex workers working together could also be prosecuted. A few of the sex workers who we interviewed also problematised this practice, as will

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9 Other socio-demographic data were not available for all the defendants and the victims.

10 He was also convicted of inflicting aggravated bodily injury on her new boyfriend and for possessing explosives. The penalty for all these crimes was four years.

be discussed in the chapter on sex workers and in the chapter on intermediaries. The studies have shown that such overbroad criminalisation of third parties makes it more difficult for sex workers to remain autonomous and might have a negative effect on their safety, as they might opt for other less safe and more exploitative arrangements (Brucket & Law, 2013; SWAN, 2015, pp. 79, 82). Working in small groups with other sex workers in an independent manner has been identified as the least exploitative and the safest option.[11] Pimp controlled prostitution is the riskiest; violent pimps have been identified as one of the biggest problems by our respondents. However, there have been few convictions for these offences: only one case in this sample concerned an aggravated form of offence.

Data, Research, Discourses and Policies

As there are few empirical studies on prostitution and no sex worker organisations in Croatia, data on the prostitution market, number and socio-demographic characteristics of sex workers, clients and intermediaries, as well as other relevant data are virtually non-existent. There are no official data on the numbers of the sex workers. The media speculates that there are around 6,700 sex workers and between 75,000 and 110,000 regular clients in Croatia. Two NGOs doing outreach work with sex workers estimate that there are 250 to 300 sex workers work in Zagreb, and around 100 to 150 in Split throughout the year, although the number is thought to rise during the summer in Split (and the surrounding coastal area) because of the increased demand tourism brings for prostitution (Štulhofer, Landripet, Božić & Božičević, 2015). In addition to the street, according to our respondents, prostitution is performed in flats, hotels, massage parlours and clubs. The internet is a popular medium of advertisement and there are a few sites where prostitution is advertised, the most popular being CroEscort.

Some information on the socio-demographic characteristics of sex workers is available from two studies, conducted in 2008 and 2014, on the HIV risk amongst female sex workers (mostly street-based) who use the services of the outreach programmes of NGOs in two major cities in Croatia (Zagreb and Split) (Štulhofer, Baćak, Drglin, Puljiz & Miklin, 2009; Štulhofer et al., 2015). It shows that these women are in difficult socio-economic positions. In the first sample (65 female sex workers from Zagreb most commonly falling in the age group 18-29, and 89 from Split most commonly falling in the age group 20-39), the most common level of education was secondary school (49% in Zagreb and 70% in Split), although a large percentage of women had only

[11] In New Zealand, for example, up to four sex workers working together do not need any certification, if there is no boss among them. Prostitution Reform Act (2003), no. 28.

primary education (40% in Zagreb and 24% in Split), and most of the women were unemployed (86% in Zagreb and 69% in Split). In the later sample of 157 women (79 from Zagreb and 78 from Split most commonly falling in the age group 29-39), 67.5% had secondary education and 26.8% had some level of primary education, while 67.3% were unemployed. The data from these studies pointed to alarmingly high rates of abuse and a relatively high incidence of STIs. The findings of these studies call for further research on different aspects of prostitution in Croatia as a necessary condition for the creation of feasible and effective policies (Wagenaar & Altink, 2012), which would address the victimisation of sex workers and secure their rights.

However, academics generally do now show interest in the topic. In addition to a few social epidemiologists (Baćak & Šoh, 2006; Štulhofer et al., 2009; Štulhofer et al., 2015; Štulhofer, Sinković, Božić & Baćak, 2016), there are only a few criminologists and legal academics interested in the legal regulation of prostitution (Kanduč and Grozdanić, 1998; KovčkoVukadin, 1998; Milivojević Antoliš et al., 2013).

There are no studies or reports on the treatment of sex workers by the police, judiciary or other public actors, except one conducted by a women's rights NGO, which concerns the legal proceedings for prostitution-related offences in the period of 2004 to 2008 (Kolarec, Ahel & Pamuković, 2009). The study showed that those charged with enabling prostitution (as a misdemenour) usually received lesser sentences (fines or suspended prison sentences) than the sex workers who more frequently received prison sentences, that in the majority of the analysed cases (776 out of 785) conviction for "engaging in prostitution" was based on the admission of guilt by the sex workers who had had no legal representation in the police stations, and that most sex workers did not appeal the judgments. These problems still persist. Another problem is police corruption (Brajdić, Hoffman, Pacek, Carević & Škalić, July 19, 2011) as well as politicians involved in prostitution rings (Dešković, December 11, 2012; Matana, January 29, 2014).

Despite these problems, the Government has never undertaken any serious studies on prostitution. Indeed, it does not have a clear stand on the best prostitution policy: Before proposing criminalisation of clients (without decriminalising sex workers), in 2002 it proposed legalisation. In 2006, the president of the Association of Workers' Union proposed legalisation again, but the proposal was again defeated. Women's rights NGOs discuss prostitution in the framework of trafficking and advocate the so-called Swedish model of the criminalisation of clients, which is also advocated by the Ombudsperson for Gender Equality.

None of the relevant actors have tried to engage in a discussion with sex workers. Indeed, the latter's voice is almost non-existent, as there is no sex work activism in the

country. There are only three NGOs in the whole of Croatia that work with street-based and / or drug-using sex workers: HELP in Split, LET in Zagreb and Terra in Rijeka. These NGOs offer harm reduction programmes related primarily to the prevention of HIV/AIDS by providing condoms, information on HIV and referrals for voluntary testing. No other support programmes are available for sex workers and for those who want to exit the industry.

Concluding Remarks

Prostitution policy in Croatia is being implemented in a manner that targets sex workers, and in particular those in the most precarious circumstances – street-based sex workers, as is the case with many other jurisdictions with different policy models (Scoular, 2010). The largest number of prostitution cases are instituted for engaging in prostitution, the offence whose interpretation is not consistent. The criminal cases mostly concern the basic form of the offence, which requires no exploitation. Prosecution of sex workers seems to be the primary answer to the perceived "social evil", with no social policy measures aimed at empowering them and no existing strategies for those who want to leave prostitution. There is also no engagement by policy makers with sex workers themselves.

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SEX WORKERS AND SEX WORK: COMPLEXITY OF EXPERIENCES

Ivana Radačić & Lynette Šikić Mićanović

Introduction

There has been little information about sex workers in Croatia and until now no qualitative research has been conducted on sex workers' perspectives. As noted in the chapter on prostitution policy and practice, there is some data about street-based female sex workers who are in contact with harm reduction NGOs in Zagreb and Split (Štulhofer, Baćak, Drglin, Puljiz & Miklin, 2009; Štulhofer, Landripet, Božić & Božičević, 2015; Štulhofer, Sinković, Božić & Baćak, 2016). These women are of a lower socio-economic status and face a high risk of violence as well as greater health risks. Data from the court records show that sex workers prosecuted for prostitution are also of a lower socio-economic status and that most of them engage in prostitution because of a dire financial situation (see previous chapter). There is no data on male and transgender sex workers, and very little is known about elite prostitution.

This study is primarily based on the interviews with six women who work in prostitution in Croatia (Zagreb and the Split area). As explained in the introductory chapter, qualitative interviewing was adopted as a method since it engages in an understanding of the meanings, experiences and views of the participants (Mays & Pope, 1995). We talked about experiences in the industry (pathways, reasons for doing it, likes and dislikes, perception of work, other work experiences), relationships with other actors in the industry, relationships with the institutional sector and civil sector and relationships with friends and family. While relationships with clients, intermediaries and police will be discussed in subsequent chapters, we analyse topics related to experiences in the industry (pathways in prostitution, reasons for doing it, organisation of work) in this chapter. We also include the topics of stigmatisation and illegality, as well as services for sex workers, since these topics arose from the data as important. In addition to sex workers' perspectives, we included information gained from informants (NGO representatives and a priest who are in contact with sex workers).

Sample

Although small, our sample was heterogeneous, as is generally the population of sex workers (Sanders, O'Neill & Pitcher, 2009; Weitzer, 2010). The ages of the six women who participated in the qualitative study ranged between 32 and 46 with a mean age of 38.3 years. All the women in this sample reported Croatian citizenship and Croatian nationality with the exception of one research participant who said that she had "no nationality". Three claimed to be either atheist or agnostic while one belongs to the Serbian Orthodox church, and the two remaining women believe "in God" or "something that is not religion".

Secondary school was the highest attained level of education, while one woman only finished primary school. All reported that they were formally unemployed at the time of the interviews and had been out of work for a number of years (between 11 and 20 years). Previous work experience included work in the hospitality and retail industries. While all of these women relied on earnings from sex work, only one woman reported that this was her only source of income. Others also depended on monthly social benefits, one-time assistance, pensions and their family/partner for extra income. When asked about their material status, most women reported that it was average while two reported that it was below average. In relation to health status, research participants generally evaluated their health as between 0 (very poor) to 8 (reasonably good) on a scale of 10, with an average of 4.3.

Three of the women were single (one was a divorced single mother) while two were married (one of them was separated) and one was cohabiting with her partner. Two women had two children, each between the ages of 15 and 23. All of these women reported that their orientation was heterosexual with the exception of one woman who said she was bisexual. None of the participants lived in their own home but were either renting or living in their partner's home or with family. One woman was homeless at the time of our interview. Two of the women are from the Split-Dalmatia County, three from Zagreb and one from Rijeka.

Only one of these women was involved in street-based prostitution while the others worked indoors, and all reported that they now work independently. One woman no longer works as a sex worker. The majority of these women lived and worked locally while two also travelled for work purposes.

Table 1. Data on Interviwees

Sex workers	Marital status	Type of work (currently)	Entrance into sex work and reasons	Sex work trajectories	Other jobs	Sources of income	Living arrangements	Relationships with clients	Relationships with intermediaries	Relationships with the police
Željka	Married (no children).	Independent – indoor (drug-related); hasn't worked for a few months.	Started in a club; drug-related.	10 years, sporadically.	No other jobs mentioned.	Mother's help primarily.	Lives with mother and brother.	Mostly rich clients, for longer periods. Positive experiences.	No exploitation reported. Her friend sometimes finds her clients.	Did not report negative experiences.
Ana	Single (no children).	Independent – indoor (financial reasons).	Escort; drug-related.	Since the age of 19 and during her 20s; back in the industry in her early 40s (financial reasons).	Worked in a fast food restaurant.	Prostitution Pension / social benefits.	Rents.	Steady clientele. Both positive and negative experiences (including rape).	Had a few pimps; mostly negative experiences, including violence and exploitation.	Did not report being mistreated, but mentioned fear of police.
Mima	Married (2 children).	Independent – indoor (financial reasons).	Peer pressure / attraction of drugs, alcohol, etc.	Since the age of 16.	Seasonal worker.	Prostitution; Social benefits / one-time assistance.	Rents.	Different clientele (mostly family men); mostly positive experiences, but previously also some negative.	Had a few exploitative pimps (some of whom were her lovers, friends), one of whom was particularly violent.	Both positive and negative experiences reported.
Marina	Single (no children).	Street-based (drug-related).	Street-based; drug-related.	Since the age of 18, with breaks when she was abroad.	Worked in a clothes shop.	Prostitution; social benefits.	Homeless.	Different clientele from 20 to 70 years old. Both positive and negative experiences (including rape).	Previously worked for pimps; one was particularly exploitative.	No negative experiences reported.

Sex workers	Marital status	Type of work (currently)	Entrance into sex work and reasons	Sex work trajectories	Other jobs	Sources of income	Living arrangements	Relationships with clients	Relationships with intermediaries	Relationships with the police
Nina	Divorced (2 children).	Independent – indoor (business).	Career decision.	Since the age of 43.	Worked in hospitality.	Prostitution.	Rents.	Mostly young professionals. Strictly business. Mostly positive experiences.	Never had an intermediary.	Had clients who were policemen. Reported disrespectful treatment by the police.
Tea	Cohabiting (no children).	No longer involved in sex industry.	Trafficking (sold by a „boyfriend").	From the age of 18 until the age of 25.	Worked in a shop, waitressing.	Partner.	Partner's home.	Businessmen mostly. Positive experiences.	Sold to a pimp who used violence and took most of her earnings.	Reported verbal and physical harassment by police and police failure to protect her.

Pathways into and Reasons for Sex Work

Comparative research has shown that pathways into prostitution and reasons for engaging in prostitution differ. Scambler (2007, p. 1080) provides the following typology of sex workers and their entrance routes into sex work: coerced (abducted, trafficked); destined (family, peers in trade), survivors (drug users, single parents, debtors), workers (permanent job), opportunists (project financing) or bohemians (casual, without need). O'Neil (2001, p. 83) notes four central motivations for entry into sex work: 1. economic need, 2. association with people who are involved in the sub-culture or the industry, 3. drug (ab)use, 4. vulnerable young people.

These themes have not yet been explored in Croatia. Some information about routes into and reasons for sex work was obtained from our informants. Many of them mentioned economic reasons. Indeed, recent socio-economic trends in Croatia, which include reduced social spending, rising unemployment and inequalities (Puljiz, 2001), have had negative impacts on the position of women, including job loss, longer periods of unemployment, a decrease in financial family support, a lower standard of life, a growth of domestic violence, as well as the disappearance of women from the higher levels of political power (Leinert-Novosel, 2000, p. 7; Kerovec, 2003). These trends have turned prostitution into one of the few occupations for women with limited resources and opportunities in the formal labour market.

A representative of LET, who during the course of her professional life has been in contact with 222 sex workers (mostly street-based) in Zagreb (all women, except one transgender, and mostly from Croatia), claimed that poverty and a poor socio-economic situation in Croatia were the main reasons for entry into sex work:

> I would say dire poverty and poor status in the labour market. You have nothing else to do so you do this.

A representative of HELP, who has been in contact with approximately 200 women in the Split-Dalmatia County[12] (many have drug addiction problems and some are HIV positive) also mentioned financial reasons, as well as drug addiction. A representative of Terra talked about drug addiction and problematic family backgrounds as the main reasons why the women she works with entered prostitution. A priest who has been in contact with street-based sex workers in Zagreb attributed poverty as one of the main reasons. He also noted that many were fraudulently pushed into prostitution

[12] The women she works with are also mostly from Croatia, while women from neighbouring countries such as Bosnia and Herzegovina, Montenegro and Serbia come during holiday seasons.

and that some were controlled by pimps. A representative of TransAid gave us an example of a transsexual woman forced into prostitution by her boyfriend and talked about the barriers she faced to exit this situation: the shelter for abused women did not accept trans women, and she had difficulties finding another job as her identity documents did not fit the gender she identified with.

None of our informants have had contact with people working in elite prostitution, and we did not manage to recruit anyone from this prostitution sector. All but one of our interviewees have found themselves in precarious situations. In addition, we were also unable to recruit students, who, based on anecdotal evidence, constitute a big part of the sex working population. Thus, our data cannot be generalised to all sex workers in Croatia. However, the data is very important as it provides some insights into this under-researched topic.

Our interviewees mentioned a variety of reasons for entering prostitution, from economic need, drug addiction, being raised on the street, to a rational business decision, while one woman was sold to a pimp by a person who she thought was her boyfriend. Most are involved in this work now for financial reasons, while two are in it because of a drug addiction.[13] Some of their work trajectories began as an escort, club dancer, street worker, through friends or through online advertisements.

Ana's pathway into sex work, as a 19-year-old heroin user, was initially as an escort. Her partner then became her pimp and expected sexual services from her, which were not without health risks:

> Yeah ... at that time it was called escort, like you keep him company for dinner, which we did at first. He then became my pimp ... but I couldn't be with him for long because he gave me, he's not normal, some sexual infection ... not syph ... gonorrhoea.

No longer an addict (but with mental health issues and no family or other support), debts were the reason she recently became involved in sex work (independently) after almost a decade of not working in this industry.

> Simply debts ... who can really save me – a bank, but f... banks in Croatia, I don't understand the banking system, no one will give me a f... loan, I have enough money, because I have an income, a pension, but no one will give me a loan ... they are concerned about the time limit or worried about the blacklist or they are bothered by the penalties ... it's such a disaster. And this is what I have to do

[13] One of the two interviewees has not been involved in this work for a few months now.

> [referring to prostitution] because of this country. And so ... I've found a source of income. It's not my fault this is illegal, obviously it's the best option to earn money fast.

Ana explained that she even enjoyed her work when she took "sex drops", but only if she didn't have to see too many clients in one day:

> There are these drops for sex bought in an Amsterdam shop. You take a drop and you feel great for an hour ... not only down there, but also in the head. And when I mix it, this drop and smoke weed, I become a sexual beast! This way it suits me to have two clients daily, maybe one after the other, while I am still high, and I link pleasure with benefit, I get the money.

However, she also added that the job was stressful for her:

> It might be easy for someone to spread their legs, but it is terrible mentally.

Željka also entered prostitution because of her drug addiction, which she still battles. At a relatively young age, she became infatuated with a club owner where sex work was practiced, and soon afterwards, she began working there.

> I came there by chance ... I fell in love with the owner, because honestly, he was so handsome ... but the first day I didn't see anything, no girls or anything, and because I left my phone number, they contacted me after about 15-20 days when they opened ... the girls were not from Croatia ...

She has a very negative view of prostitution and has only engaged in it sporadically to feed her drug habit. She explained:

> I would do it when I would be dead drunk and drugged. I could not do it in any different way. It is disgusting, disgusting, disgusting!
> All [the money] was for drugs, unfortunately. I would not do it otherwise.

Marina also got involved in prostitution because of drugs at the age of 18. She has been in prostitution since then, with two breaks when she was in rehabilitation and living abroad. She has always worked on the streets. She currently has no home and is not in contact with her family. The location where she works was unfavourably described by another sex worker as a place that means "you've hit rock bottom and reached the last port." Marina explained:

If it wasn't for the drugs, I would never set foot there.

Mima entered into prostitution as a minor because of its appeal and attraction even though she did not really know what it entailed. In the absence of responsible parental role models, her entry into prostitution was through friends.

> I started with prostitution at 16. Because the street brought me up, I didn't have the supervision of a mother or father ... I had a very difficult childhood ... I started to go out with some friends who introduced me to prostitution, although I didn't even know what prostitution was. And then there were some people who were very powerful, and I liked this ... there were drugs and alcohol and money, and money ... and that's how it all started.

For the most part, the work was pimp-controlled. Now working independently, Mima does sex work to make ends meet in the absence of other choices. She has to support her family; her husband is sick and unable to work.

> I work as a prostitute because I have children. And I have raised my children from this. Because I can't afford to go to school, social benefits are very small, and I prostitute myself to feed myself and my children ... I say, 'there is no bread, no food, I have to go, I have to find a way ...'

Nina's entry was different: as a single mother in her early 40s, she wanted a more secure future for her family and work that was "more fulfilling, rewarding and profitable" than the jobs she had had in hospitality. She explained how she started:

> Actually, through social networks, through dating sites, I met people who offered me money for sexual services. At first this was inconceivable to me, and then I realised that I had no problems with sexuality, and if they didn't want any other type of relationship with me ... why not?

With the encouragement from a friend, she then started advertising on CroEscort. She explained:

> I was fully aware when I made this decision and had thought it through very carefully. After my first job, I felt great ... when I got my first hundred euros ... I was really satisfied because I knew I could buy my kid sneakers and jeans; he was walking around in sneakers with holes and torn jeans. I knew that I would be able to pay public utility bills that I hadn't paid for three months ... I felt that I deserved this and earned this.

However, money is not the only reason she does sex work; she gets satisfaction out of it:

> I get feedback that I am worthy, not only in sex, but as a person!

Contrastingly, Tea was forced into prostitution at 18 through a "boyfriend" who sold her to a pimp. During this time, she had constantly lived in fear, not only for her own safety but also for the safety of her family members.

> I was forced into this; I didn't know what prostitution meant. I was sold. I don't know how and for what amount. I was taken to a pimp, and I was told that I would do this and that ... I didn't know anything about this world.

After she managed to escape, she started working in a shop but lost the job due to the public nature of the proceedings she was involved in as a victim. She then started working independently in the sex industry for a short period. She no longer works in prostitution but is involved in advocacy for sex workers.

Organisation of Work

Literature shows how organisational patterns are shaped by the different strategies that sex workers adopt, for example, how to manage encounters, how to minimise risk, negotiate with clients and employers, how to subvert legal restrictions (West & Austrin, 2002; Lewis, Maticka-Tyndale, Shaver & Schramm, 2005) and how to cope with stigma (Koken, 2012).

All of our interviewees now work alone, as all but two have had negative experiences with the organisers. Of these two women, Željka has had intermediaries but has not found their relationship exploitative, and Nina has never worked with an intermediary.

Ana had a number of exploitative and violent pimps when she was younger. When she re-entered prostitution out of financial reasons, she decided to work alone:

> I realised I do not need to give half of my earnings to anyone ... This way I am not forced, nobody abuses me and the client is happy because I do not look at the clock ... The pimps are the biggest problem in this business!

However, she mentioned she would be happy to have some protection and a driver (she does not drive), but understands that this would be illegal:

> I realised that it is considered an organised crime if you work with someone. So, there should be no landlord, no taxi driver, no one.

She advertises through the free online platforms. Following some bad experiences with clients who were not serious, she has now developed her own system of working:

> I developed my own system. I first let them call and call, I am a chronically tired, exhausted person. And then I send them an automated message: 'I will send you an info text message during the day.' Then I send them a text, and we make arrangements. But for this type of work you have to be a slave who sits on the mobile for three hours ... until you make two good deals. You learn to identify jokers; they don't want to call because they don't even have money on their mobile. These guys are jokers, you write to them if we can make plans, and nothing.

She works from her rented home, while fear of exposure limits her freedom to organise her work schedule.

> I am sorry that I cannot do three, but my landlord ... he is not stupid. So I do two men every second day, or two days in a row, and then two days nothing.

Željka is afraid of anyone finding out, and this is the reason she never works in her home town. She sporadically engages in prostitution; usually when an opportunity comes up through a friend. She also mentioned a taxi driver who sent them clients. Most of her clients are rich and she has travelled extensively with some of them.

Mima, who has also had bad experiences with pimps, now works alone. She does not use online advertisement services. Rather, she finds clients through word of mouth, as it is all a connected circle of people.

Marina, who works on the streets, also described her current work as independent, although she did mention her "minders" (described by our NGO informant as "partners in drugs"). While she does not see their relationship as exploitative, one of the men did mention that he had slapped her on a few occasions. She explained how it had previously been much worse:

> You were not able to work unless you accepted that someone would 'protect' you.

Nina is independent and works outside her home. She has never relied on any third party, as she likes to be her own boss and decide when and how much to work and what to charge. Her ability to choose is most important to her:

> For me, the most important thing is that I can choose. So, I will not accept every call. I insist on contact beforehand, over the phone, where I state my conditions, and if I see a person on the other side with whom I cannot communicate, I

> immediately put an end to it. I would never accept someone arranging something for me. I do accept recommendations, so someone can tell me: 'Look, someone is interested.' And I can say: 'Ok, let's exchange numbers, and I will make further arrangements with that person. But not someone arranging it for me!'

When asked about their relationship with other sex workers, most of them responded that they had no contact with other sex workers. Even Marina who worked on the streets claimed that she had no relationship with other women, though she mentioned that other "girls" often fought about who was going to get a client.

Only Nina, who has a sex worker friend, believes that it would be good if women connected:

> They could clearly set out what they want, how they want it, and they could exercise their rights, their health protection, all of it.

However, prostitution in Croatia seems to be atomised and individualised, which has implications for health and safety since working with others in non-exploitative conditions increases job satisfaction and safety. Some of the reasons surely lie in the criminalised context and the stigmatisation and marginalisation of sex workers.

Stigmatisation and Illegality of Work

Stigmatisation and illegality have a significant impact on sex workers' health, safety and well-being. Stigmatisation, a process involving interrelated elements of labelling, stereotyping, separating, status loss and discrimination (Link and Phelan, 2001; see also Goffman, 1963), affects all sex workers, despite the specific social and cultural influences that shape the process in a given context. Some sex workers experience interacting stigmas and marginalisation by virtue of their gender, gender identity, sexual orientation, marital status, race, ethnicity, socio-economic status or engaging in other stigmatised behaviour (such as drug use). While stigma persists in legalised and decriminalised contexts as well,[14] criminalisation, commonly based on the view of prostitution as a social evil, can "be understood as both a facilitator / perpetrator of stigma and the negative, moralistic stereotypes associated with such employment" (Wong, Holroyd & Bingham, 2011, p. 60).

Not only does stigmatisation involve discrimination against sex workers (enacted stigma), it also involves shame associated with membership of the stigmatised group and

[14] However, a decrease in stigma (particularly felt stigma) has been noted in New Zealand (Radačić, 2017).

the fear of encountering the enacted stigma (felt stigma) (Scambler, 2004). An NGO representative appropriately explained the internalised stigma that many sex workers felt:

> They have a feeling of guilt and bad consciousness ... You know, like 'what could I expect; it is good that I wasn't beaten up, to get two slaps is just ok'.

Tea talked about how difficult it was for her to read the derogatory comments about sex workers on media forums and what impact it has had on her:

> When you read it [comments] you feel pathetic, and when you feel like that then you know there is no hope for you, and then you fall into depression.

Similarly, Mima explained how the public perceived prostitution with contempt and how it made her feel uncomfortable. Ana expressed how she felt and noted the hypocrisy related to the shaming of sex workers:

> Terrible. I feel ostracised, as if we have AIDS. But if there were no clients, there would be no prostitutes. Number two, a lot of cops are clients!

Nina specifically talked about the hypocrisy of clients:

> There are people there [referring to CroEscort forum] who treat these women with disrespect in their comments. They call it sports, like they have been doing this sport for a long time ... They treat them like a piece of meat!

Željka talked about a woman who was known in her home town as a sex worker and how everybody perceive her as "a whore" and not as "a woman". Željka is very afraid of anybody finding out about her work and feels shame about doing it.

Nina, on the other hand, does not have any problem with sex work:

> I am actually proud of myself for making it, at a moment of my life when I was really at the bottom – financially, psychologically, in the labour market, alone with kids. I did it myself, without asking anything from anybody, from the state, or some humanitarian organisations, I managed to secure an existence for myself and my children ...

She is keen to address stigmatisation and would like to go public (as her family already knows), but the illegality of sex work prevents her from doing that. She further explained:

> This segment of illegality, it makes me afraid, because I don't know if I will get a call from a police officer.

Not only do illegality and stigmatisation of sex work facilitate police abuse and violence from pimps and clients (which will be discussed in subsequent chapters), they also facilitate the climate of impunity for crimes committed against sex workers (Rhodes et al, 2008). All respondents said that they had not reported the crime committed against them due to illegality, as it would be them who ended up prosecuted. Ana noted:

> How can you report it [rape], when you are a whore?

Illegality and stigmatisation also have an impact on sex workers' private lives and family relations, as many of them fear exposure and rejection by families and friends (for comparative research see e.g. Koken, 2012). Furthermore, a few of our informants told us of cases where sex workers lost custody of their children because they were seen as unfit parents due to a stigmatised view of sex work. Street-based sex workers with children are in a particularly problematic situation as they often end up in jail; some of the women in the court's sample were arrested on a regular monthly basis. Many of them are single mothers without family or other forms of support to ease the upbringing and care of their children.

(Lack of) Services and Support Systems

While all sex workers in this study have experienced marginalisation, those that are precariously living in poverty or have been subjected to violence, as well as those with complex needs due to diverse personal and circumstantial issues such as drug dependency, mental health issues and homelessness, are more vulnerable (Berg, Bates & Harcourt, 2011).

When asked about support systems, most of them did not have much to report. Indeed, there are no targeted, specialised services for sex workers in Croatia. As many sex workers encounter barriers to accessing health, drugs and social care services, because of, for example, judgmental attitudes of the staff, stigma, inconvenient opening times or location, there has been a growth in services for sex workers in Europe since the 1980s (Sanders, O'Neil & Pitcher, 2009, p. 140).

Some respondents mentioned the NGOs HELP and Terra as their sources of support. In these organisations sex workers can get condoms, while they can get tested at the premises in Split for certain STIs and HIV. There is a drop-in centre in Terra, and sex workers and other service users are always welcome in the HELP centre (Split).

Ana talked about a drop-in centre that had been operating in Zagreb, where sex workers could get condoms, as a positive example that no longer exists. She also spoke very positively about a psychiatrist in a hospital in Zagreb (who recently left Croatia), who was running a pilot program for drug users and sex workers. She liked his non-formal, friendly approach and that he was always accessible (she could send him an email in the middle of the night); she felt really supported. However, now she does not feel confident enough to tell her current psychiatrist what she does for a living:

> The problem is that you can't be fully honest with her, and I like to be completely honest, even if this is not always good. I don't know where this information is going to end up. I can't trust her ...

None of the women have revealed to health authorities or social services (those who are in contact with them) what they do, as they fear they would encounter stigma rather than being helped. Nina explained how she had to persuade her gynaecologist to do STIs tests without telling him what she did for a living, as he thought that she was too cautious:

> Why do I have to explain what he should be doing? At the end of the day, I constantly read that people are encouraged to behave in a sexually responsible way, to test themselves ...

Mima was grateful to a local NGO that helped her escape and prosecute a violent pimp. She also spoke positively of police officers who helped her in that case. However, she is now in a very difficult financial situation and one-time assistance from the social services is not sufficient for her family to survive.

Unlike Mima, Tea claimed that she did not receive any help as a victim of forced prostitution:

> My story was constantly in the news, my address was known, but no one said 'Let's help this girl, let's give her something, some advice, a lawyer', nobody did anything.

She is critical of the police, who did not help her, and generally of the criminal justice system. She explained how she was harassed and eventually beaten up by her pimp in the course of proceedings, which were very lengthy. She also explained how she lost her job when the police came to pick her up to testify due to the stigma attached to people in prostitution:

> Even if she is a victim, she is still a whore, she did it. Nobody will say 'here is my hand, come with me!' Nobody will even look your way.

Concluding Remarks

In this chapter we presented the perspectives of our research participants who are involved in sex work, exploring their reasons for doing this, pathways to prostitution and how they organise their work and deal with stigmatisation and marginalisation. This data confirmed that sex workers are a diverse group with different reasons for engaging in prostitution and different ways of working. However, all sex workers are affected by stigma and illegality, which has a significant impact on their health and safety. For example, stigma is one of the barriers to accessibility of services for sex workers. This has also been shown in our study. Participants explained how they were affected by stigma, which is why they hide what they do from service providers, while there are no programmes specifically catered for sex workers. Though our findings cannot be generalised, the problems faced by our interviewees pose questions in relation to the adequacy of the Croatian legal and institutional framework to address their needs. We shall discuss sex workers' recommendations for change in the concluding chapter.

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RELATIONSHIPS WITH CLIENTS: BUSINESS, SOCIALISING AND VIOLENCE

Stephanie Stelko

Introduction

There is insufficient data on sex workers' clients in Croatia and on their relationship with sex workers. As noted by Weitzer, clients have traditionally been an ignored topic in sex work literature, even though "as in any commercial relationship, customers of prostitutes far outnumber the workers who service them, and a sizeable number of men have bought sex" (Weitzer, 2009, p. 224). The only Croatian study which included questions to men about experiences of buying sexual services was the study of sexual behaviour of truck drivers in international transport (Baćak & Šoh, 2005). One third of the study's respondents confirmed having personally engaged in commercial sex on the road, while the rest assumed that their colleagues have. Yet, the authors are inclined to think that the majority of drivers pay for sex, although possibly rarely or irregularly out of fear of being robbed or infected with STIs, because of modest financial means or lack of free time (Baćak & Šoh, 2005).

Some data on clients and their behaviour towards sex workers are also available from the study conducted by Štulhofer, Baćak, Drglin, Puljiz & Miklin (2009) on STIs risk in female street-based sex workers who work in Zagreb and Split. The study showed that 32.3% of the Zagreb sample and 55.4% of the Split sample had less than 10 clients during the previous month, 33.8% of participants from Zagreb and 36.1% of participants from Split had 11 to 20 clients during the same period of time, while 33.8% of the Zagreb sample and 8.4% of the Split sample had 21 or more clients. Another study indicates that sex workers face a high risk of violence by clients: in the sample of 158 women, 44.3% respondents from Split and 35.4% respondents from Zagreb reported having experienced client-based victimisation in the year preceding the interview (Štulhofer, Landripet, Božić, & Božičević, 2015). The study also found that 46.1% of the respondents reported having been threatened with physical violence by a client and 30.5% reported being attacked by a client in the year preceding the interview, while 64.7% of them reported indirect victimisation, i.e. knowing of a colleague who had been attacked by a client in the year preceding the interview (Štulhofer, A., Sinković, M., Božić, J. & Baćak, V., 2016).

In our study we also wanted to investigate into the abusive aspects of the relationship between the clients and sex workers, looking into the types of abuse suffered by sex workers, as well as the measures they took to protect themselves. Furthermore, we wished to look into the positive experiences sex workers have had with their clients. Finally, we wanted to gain some insight into the clients' profiles. Hence, in addition to sex workers' interviews, we used the data obtained from participants of this study who had information about the clients' profiles and relationships with sex workers. The data provided insight into the sex workers' clientele, the ways and circumstances in which sex workers met their clients and negotiated the transaction, and positive as well as negative aspects of the relationships with the clients.

Client Profiles and Reasons for Seeking Commercial Sex

There are many stereotypes about clients. Kinnell (2006, p. 223) observes that the public often believes that clients of sex workers are "dirty", "desperate", "undesirable" or "geeky" men. "It seems beyond public imagination", the author comments, "that a rich, even attractive man would ever 'need' to pay for sex (Kinnell, 2006, p. 223). Even the clients themselves have stereotypes about other clients. As Nina explained:

> There are prejudices, even among clients who come to me and think, 'Oh, I'm young and handsome, I know all of yours [clients] are old and miserable, so ...' But all of my clients are young and handsome.

Kinell suggests that:

> clients, far from being a tiny minority of men, with abnormal desires and predilections for violence, are a substantial subsection of the male population, broadly representative of it on most demographic variables, with fairly mundane reasons for engaging in commercial sex, and rarely violent (2006, p. 213).

This was shown in our study as well: the clientele included men from significantly different social groups, from family men to young single clients, from rich businessmen to retirees. The reasons that motivated these men to pursue commercial sex, to our interlocutors' knowledge, reflect the results of Kinnell's study with clients in the UK to a certain degree as well. The most common reasons the participants of her study gave were: avoiding emotional involvement, not having regular non-commercial sex (not having a partner or not having enough sex with their partner) and using sex workers' services as an alternative to masturbation, liking sex workers (feeling at ease with them) and feeling too shy or old for establishing non-commercial relationships (Kinell, 2006, pp. 223-229).

In our study, Nina explained that most of her clients were in their twenties and thirties and were working people with busy lifestyles, wealthy young men who wanted to have sexual encounters but did not wish to be in a relationship, or married men who were either unable to fulfil their sexual needs in their marriage (for example, they wanted Nina to perform fellatio either because their wives did not wish to do it or because they themselves did not want to "humiliate" their wives) or simply enjoyed extramarital adventures. Some of her clients have low self-esteem and problems establishing communication with women due to disabilities, erectile dysfunction or other reasons.

Mima emphasised that most of her clients were "family men bored with their wives", while Ana and Nina reported having had several policemen as clients. Another group that seems to form a significant part of the clientele is retirees, as pointed out by Vladimir, who facilitated indoor commercial sex work, as well as by a HELP representative, who mostly has contacts with the street-based sex workers and sex workers who abuse drugs in the Split area. Tea's clients are mostly high positioned men, another frequent category, mentioned also by Vladimir.

Even though Croatia is a popular tourist destination, clients of women who participated in this study are mostly Croatian. Only Željka, who worked in a night club in a tourist town and later had "sponsor" relations, stated that her clients were mostly foreigners, mainly Italians. Marina, a street-based worker, also mentioned having had a few foreign tourists as clients. Finally, only one participant reported having once had a female client, but even in that case it was a female-male couple who sought her services (and ended up sexually abusing her).

Negotiating with Clients and Addressing Risks

The working contexts and ways in which sex workers in this study would reach or could be reached by clients varied and often differed in different periods of their lives. Street-based sex workers made contacts with clients by spending time in specific areas of Split and Zagreb known for the availability of sexual transactions. When it comes to negotiating with clients, there were two possibilities: they either did it directly or it was done by a pimp. As stated by a LET representative, many clients would look out for "their regular girls".

Contact between clients and sex workers was sometimes mediated by the intermediaries in non-street-based sex work too (more information on intermediaries is available in the next chapter). They would arrange the meetings, after which sex workers would meet clients in private apartments or hotel rooms.

Other working contexts mentioned by our participants include working as a dancer in a club where clients would come, engaging in "sponsorship" relationships with wealthy men as well as advertising. Željka has had several "sponsorship relationships". The men would not only give her money for her sexual services and company, but would also buy her presents, supply her with drugs or take her on trips. Mima gets her clients by word of mouth, while Ana and Nina advertise their services online. Ana prefers to invite clients to where she lives, while Nina only goes to places chosen by the client, which might be their homes or hotel rooms.

While sex workers working in different settings have different experiences, none of them are free from the risks of some kind of physical, sexual, psychological or economic violence. Studies have shown that there seems to be less of a risk of a "problematic transaction" with regular clients who visit "the same sex worker (sometimes several sex workers) and build up some form of relationship over time" (Sanders, 2008, p. 404). Indeed, participants in our study prefer regular clients. Nina only works with regular clients, now even outside of her city of residence, and she only does out-calls.

Ana advertises herself online and first lets potential clients call her, not picking up. Later she sends them a text message with information, which is when negotiations start. She claims that this part of the job takes a lot of time and energy and that it often takes several hours to reach one "good deal". Marina, a street-based worker, has her friends watch over her, for some exchange of money or goods. Sometimes it is friends who set up a price with a customer.

Negotiations between the sex workers and the clients do not only encompass discussion about prices, but also about activities and condom use. Tea claimed:

> Clients mostly want to have [sexual] relations without protection.

Nina also reported having been requested to engage in sex without condoms as well as persistently adhering to her decision not to do it:

> I always say, when they ask what I offer, I say: 'I offer everything that is accepted by common sense, provided that if you have any wishes you say it.' I say, 'No serious perversions, no...[nothing] that might imperil someone's safety and all that, and protection [is] obligatory.' And then they ask could it be without [a condom]. I say, 'Yes, if you have a recent confirmation by the doctor that you are healthy, very recent.' And then they understand what I'm talking about.

On the other hand, the representatives of the three NGOs working with street-based and / or drug abusing sex workers claimed that women were not very persistent

in condom use. One of them claimed, "they agree to everything, whatever you pay for", and emphasised that some clients were ready to pay more for unprotected sex. The other one told us that they would be more eager to agree to unprotected sex before dawn if they had not earned enough during the night, especially if they had to hand their earnings to someone who might hurt them in case they did not earn enough.

Negotiations about sexual activities and condom use also represent sex workers' strategies of managing – i.e. lowering – the risk of being infected with HIV or STIs and of being forced to engage in specific sexual activities against their will. Sanders points out that sex workers' management of physical, health related and emotional risks starts even before the initial contact with potential clients is established by ensuring certain precautionary measures (2004, p. 564) and proceeds through the assessment of clients during the negotiation and transaction phase (2004, p. 565).

Our informants did not report having specific precautionary measures, except for making the decisions about where to meet clients. Based on previous negative experiences, Nina, for example, has decided not to enter clients' cars anymore in order to avoid being brought to obscure places. She has also decided not to work at her home or let clients know her home address in order to protect her privacy. Many participants confirmed having certain criteria and doing check-ups when negotiating with potential clients. Nina refuses to see those who post negative comments about women on CroEscort:

> ... there are people who treat these women quite disrespectfully in comments, they call it [seeing sex workers] a sport, like they have been doing this sport for a long time.

She always checks her new clients and does not negotiate with them further if she gets the impression that they are trying to visit as many girls as possible:

> ... if the way he perceives it [pursuing sex workers' services] doesn't suite me, the way he looks at girls, if he sees them as a piece of meat, [having comments such as] 'I've done this one, I've done that one' ... and [men] which go to all [sex workers] one by one, then with them [such men] ... I don't negotiate.

Tea also maintained that, during the negotiation phase, she always treated potential clients with respect and thus expected them to treat her with respect too. Otherwise she would refuse to negotiate further:

> If you feel he's arrogant, rude, you say: 'Listen sir, call another number.'

When asked where the encounters of clients and sex workers would take place, Vladimir claimed that in the majority of cases it happened at the clients' places because:

> (...) this is [a way to do] a check-up ... So [I would get to know their] name, last name, address, telephone number.

Another popular protection strategy in Sanders' study turned out to be the threat of the third party intervention (Sanders, 2004, p. 565). Some of our interlocutors have indeed confirmed that sex workers in Croatia use this protection strategy as well. As Tea said:

> (...) most women who work alone, they [intentionally] give the impression that they have a pimp to protect themselves from potentially these ... clients who are violent.

While she herself was working for a pimp, she had come to the conclusion that clients who feared pimps treated sex workers with more respect. When asked about how she was treated by clients, she claimed:

> They treated me with respect, more out of awe, maybe because I had a pimp [and] because they knew for sure what kind of idiot might come to their home and [that they might] have problems [with him].

Similarly, Vladimir maintained that clients' behaviour was fair in the majority of cases, emphasising:

> (...) there's also a lot of fear, watch out, there's a lot of fear because they all recon [that] this [persons involved in sex work and its facilitation] is an organisation and now if something happens [if a client does something that would harm the sex worker] – I'm in trouble.

Some of the sex workers we talked to mentioned how their own attitude during negotiations and encounters with the client was important. Mima, for example, noted that clients might be more keen to refuse to pay if they noted that she was "tense" or afraid. Similarly, Tea believes that sex workers whose attitude does not reflect confidence and self-esteem are more vulnerable to client violence (often street sex workers, in Tea's opinion). She explained:

> (...) if her attitude is: 'Ok, I do this, but you cannot mess with me, you are my guest, regardless of whether you pay me – you pay my time', then clients will be more likely to treat her with respect.

Experiences of Violence

Even though most sex workers undertake protection measures and make assessments to lower the risk of experiencing violence prior to the contact with clients, most of them have found themselves in violent circumstances during their encounters with the clients. These include: physical and sexual violence, economic, emotional violence and uncomfortable situations. As Nina put it:

> (...) a one hundred percent guarantee that everything will be alright does not exist, it doesn't.

In fact, the ubiquity of violence against women working in prostitution, including from their clients, has been irrefutably confirmed by researchers worldwide (Sanders, 2004, pp. 563-564). Street-based workers working in criminalised settings are particularly vulnerable (Pauw & Brener, 2003, p. 472). But escorts and call girls are also vulnerable to abuse "given their isolation when doing out-calls at hotels or clients' residences" (Weitzer, 2009, p. 219). An ethnographic study of violence against street-based sex workers in two urban settings in nearby Serbia, which also has a criminalised legal framework, showed that "street sex workers found themselves caught in a cycle of violence, protecting their bodies from physical harm, themselves from emotional harm, and their earnings from theft" (Simić & Rhodes, 2009, p. 4). As noted above, studies on the STI risk in street-based female sex workers in Croatia have also shown alarmingly high levels of violence. Our study confirms the susceptibility of sex workers to client violence as well.

Physical and Sexual Violence

The experiences our participants described included rape, serious physical violence and restriction of freedom, as well as light bodily harm and rough sex. Ana had particularly bad experiences, which included being threatened with a gun, robbed and raped, in her 20's when she had been working under a pimp and had been using drugs. She mentioned:

> There are normal [clients] (...) and there are total maniacs that you can barely get rid of (...) They get violent, too harsh.

Since she has been working alone (no longer an addict), her experiences with the clients have been more pleasant.

Marina was also raped by her client of 10 years, even though, as mentioned earlier, regular clients are less likely to get violent. This man also raped another sex worker, who reported him, and was eventually sentenced to several years of imprisonment. Mima also experienced forced sex by a client when requesting him to use a condom:

> Some bad things would happen when I would ask him [a client] to use a condom, he wouldn't want [to use] a condom and then he grabs you brutally, throws you on the bed and in the end he comes inside you.

In addition to rape, some women reported being subjected to "rough sex". Nina mentioned that she was once left with bruises and light injuries, even though the clients had not wanted to harm her intentionally.

A priest who helps street-based sex workers in Zagreb told us that the women he talked to reported that some clients requested certain "perversions", and that some of the women were subjected to violence (including being shot). "Perverted" requests were mentioned by the HELP representative as well. According to her knowledge, clients who tend to be violent are mostly younger and wealthier, "haughty" and "rapacious", with "disturbing" sexual desires.

Living with the risk that clients might use violence against them, "some sex workers are not afraid to use serious force to prevent personal injury" (Sanders, 2004, p. 565). Nina, for example, explained:

> (...) if they [clients] don't listen to me [when she tells them to stop], I give back in the same way, and then they listen ... they also have tits to squeeze and so on.

And yet, despite the determination to protect themselves showed by some, sex workers remain vulnerable to physical violence.

Economic Violence

Our participants reported having had clients who refused to pay for their services, or refused to pay the full (agreed) price. Such situations even happened with clients who at first gave the impression of being reliable. It has also happened with regulars, though research shows that they are more reliable in that respect (Sanders, 2004). Nina told us about a client who had "charmed" her during their encounter, but when it was time to pay he became

> extremely violent, physically harsh, he threatened me, pushed me and then I left, and in that moment I changed my way of doing business (...) I won't even get in the car if I don't see the money on the seat.

Ana explained how clients "love to rob the prostitute". In addition to having had clients who refused to pay her or refused to pay the agreed price, she has also had some of her personal belongings, such as her mobile phone, stolen by clients. She also explained how some clients proposed "deals", such as paying part of the price "now" and part "later".

Vladimir also reported of stories of economic violence against sex workers committed by clients. He told us one particular story where a client who prolonged the meeting with the sex worker and did not pay her for it while demanding additional services for free, even though he told Vladimir that he had paid her (when Vladimir had come to his apartment worried about this sex worker).

Emotional Risks, Unsafe and Uncomfortable Situations with Clients

Apart from physical, sexual and economic violence, our respondents reported other stressful situations with clients that might be classified as emotional harm, including being blackmailed, feeling unsafe or uncomfortable and having clients cross the line of a commercial relationship. As Ana said:

> (...) this job – it might be easy for someone to spread their legs ... but mentally it is terrible!

In Sanders' study (2004), the most emphasised emotional risk by participants was "being discovered", i.e. the risk that people from women's private lives would find out that they sold sexual services. This risk was even prioritised by her participants over risks of physical and sexual violence (Sanders, 2004, p. 558). Even though our informants did not seem to prioritise the risk of being discovered over the risk of physical or economic violence, they definitely did take it into consideration. Our informants talked about how some clients blackmailed sex workers requesting free services in exchange for not disclosing them to their children or other members of the family. One of the sex workers, Ana, talked about how she tried to keep her landlord (who also lives at the property) from finding out what she did, and organised her working schedule accordingly, even though this did not suit her ideally.

Feeling unsafe includes situations where sex workers have no control. This was the case for Nina, when she was being driven by a client in a car for far too long, while he was making threating phone calls to his ex-wife:

> He was like a time bomb (Nina).

When Nina requested to be paid, he started explaining that he had to do a few things first before he could get the money for her, but she demanded him to let her out of the car and eventually walked away without receiving the payment.

Ana talked about violation of privacy by some of her clients. She had a client who had sexually abused her dog. Another one did not respect her living space – he stayed in her bathroom for "way too long", which made her think "what was he doing in the bathroom"?

Another problem discussed by our participants was the problem of the clients crossing the line of their professional relationship. While communication, familiarity and the development of friendship and emotional connections may be important for many clients of sex workers, especially regulars (Sanders, 2008, p. 405), sex workers may experience some clients as "emotionally demanding" (Kinell, 2006, p. 228). Even though most sex workers who participated in this study expressed their liking of certain aspects of their relationship with clients that go beyond sex, some also reported that they established boundaries with respect to "deepening" these relationships and that that they felt harassed when clients attempted to cross these boundaries. Obsessive clients have emerged as a recurrent problem in many studies of sex work, shoes Weitzer's meta-analysis (2009). In our study we also came across this problem. Nina, for instance, reported having had clients who claimed to have fallen in love with her and often messaged or phoned her to talk about their personal problems. She commented:

> I understand that people have this need, but I have been explaining to him [a client] that I'm not here for typing [meaning exchanging messages], you have a girlfriend for that, you have a wife for that, I'm not for that. They [some clients] would, lots of them [would] want therapy, a deepening of the relationship and everything, where would I be if I were to maintain such a relationship with all the contacts I have.

In Nina's experience, the few clients who wanted to cross the boundaries of their relationship were policemen who wished to "help" and support her:

> [Policemen] have this [attitude to say] 'I will help you, I will be here for you' (...) and then when you fall into a state of feeling safe and confident, then they start asking something more from you ...

Such instances of their boundaries being crossed were the most frequent and widespread types of violations of sex workers' integrity.

Relationships Beyond Sex

Despite being constantly wary and aware of potential dangers, our informants stressed certain aspects of sex work and contact with clients that they found positive. For example, while acknowledging that the main reason for encounters between her and her clients was sex, Nina emphasised the importance of "human contact":

> (...) there's lots of conversation, lots of ... I'm there like a psychologist, this human contact ... I draw satisfaction from it, from the fact that I see these people respect me.

Ever since she started working as a sex worker, Nina claimed feeling respected for performing her job well. She not only feels that she "matters" as a sexual companion, but also as a person in general, as she works with clients who find "the whole package" important. One client, she reported, told her explicitly how valuable he found her, saying:

> every woman has boobs, but not every [woman] has your volubility, your sincerity.

Despite having had negative experiences with the pimps, Tea claimed that she had never had inconvenient situations with her clients:

> All clients have treated me as a human being, as a person, as a woman.

She said she did not feel objectivised by clients. She also mentioned how she would sometimes accompany them to dinners and walks, or see a movie with them, or have a conversation.

Similarly, Željka reported never to have had a negative experience with a client. She singled out a client (a foreigner) whom she was seeing for several months and who took her to the thermal baths and shopping and would always give or land her money.

Ana explained that she sometimes had interesting persons as clients and enjoyed talking to them, and during the interview, disclosed that she was looking forward to a client today, with whom, however, she would only have coffee. She explained:

> This man cannot pay for sex [today], why shouldn't he come over for coffee, I don't invite just anyone for coffee.

When she had worked with pimps, she disliked the tight time limitation they were setting,

because then you're too fast, too unnatural, you just take your clothes off and for me that's not it.

Since starting to work on her own, she has been satisfied with the fact that she can afford to get to know her clients better. During her conversations with the clients, she spots "the normal ones" with whom she feels at ease.

Mima also claimed that she maintained fair relationships with (former) clients and when she ran into them in town,

they say hi to me, they ask how I am, if I need anything.

She singled out a former client whom she had run into some time ago and who had given her a hundred kuna on that occasion, "so that she would not need to worry".

Gestures such as these were welcomed by the sex workers, even though our sex working informants mostly did not like having professional boundaries crossed.

Concluding Remarks

Our respondents' clientele include diverse groups of men, such as retirees, wealthy (business) men and family men of all ages. Experiences with clients are also diverse, and they can be both positive and negative, pleasant and brutal – and everything in between. Negative experiences include sexual and physical abuse, health risks, threats, and blackmail. Economic violence emerged as a big concern faced by sex workers, many of whom had clients who had refused to pay the agreed price or pay at all, or had requested additional services for free or had stolen their money or private belongings. On the other hand, the positive aspects of contact with clients pointed out by our participants include feeling respected by clients, engaging in pleasant conversations with them, being asked for opinions and being offered help. Some of our respondents reported having never been harmed by a client in any way. Nevertheless, most sex workers stay wary of the possible risks of different types of violence and unpleasant experiences and develop their own strategies aimed to lower these risks.

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RELATIONSHIPS WITH INTERMEDIARIES: PROTECTION, CONTROL AND VIOLENCE

Tihana Štojs Brajković

Introduction

Since there are very few studies that provide information on intermediaries – people involved in sex trade who are neither sex workers nor clients – the management of prostitution can be considered as "one of the most invisible aspects of the trade" (Weitzer, 2005, p. 229). That leaves us with stereotypical assumptions about management of prostitution that are mostly based on media portrayals as well as writings of anti-sex work activists, who describe sex work as a "form of sexualized male violence" (Day, 2008, p. 28 in: Bruckert & Law, 2013, p. 8), women involved in prostitution as vulnerable victims of sexual slavery (Barry, 1995, p. 199) and men as criminals and predators who exploit them. Even though this is in some or many cases true, it does not encompass all of the diverse forms of sex work organisation.

Along with a lack of research on relationships between sex workers and intermediaries, we also face definitional problems associated with the term "pimping". A pimp is commonly defined as a person who lives off the income of a sex worker (Williamson & Cluse-Tolar, 2002), but it is unclear what it implies and how broad the term is.[1] In general, scientific papers as well as media presentations emphasise two types of relationships: one that is strongly violent and exploitative towards women and the other where emotional dependency or even a "love" relationship plays an important role (Williamson & Cluse-Tolar, 2002). O'Connell-Davidson (1998) points out that "pimping" can have many different meanings, which is why we should try to recognise patterns of pimping rather than describe it as a single set of activities. She defines a pimp as an "individual who plays an active and identifiable role in the daily reproduction of one or more person's prostitution and pimping as the activities carried out in pursuit of that end" (1998, p. 46).

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1 For instance – how much does one have to benefit from sex trade to be identified as a pimp, and where does it leave husbands or boyfriends who enjoy these "immoral earnings" (O'Connell-Davidson, 1998, p. 42) or the many passive beneficiaries of prostitution who are not subjected to legal penalties (receptionists or barmen who arrange sexual encounters for their guests)?

Recognising the fact that many individuals defined as pimps are often partners supporting sex workers practically and emotionally, O'Neill uses the term pimp in "the sense of a man who coerces and maintains a woman in prostitution and where the relationship is a destructive one" (2001, p. 77). Indeed, when the sex workers we interviewed referred to "pimps", they talked about individuals who exploited them and, in many instances, were violent to them. Some sex workers, however, noted how they would benefit from certain intermediaries, such as drivers. In light of the complexity of the terms and experiences of women with third parties, we did not choose a specific definition, and our use of terms reflects the narratives of our respondents.

We wanted to explore the different aspects of the relationships between sex workers and intermediaries, both negative and positive, and the economic effects of working for / with others or working independently. Although we had a relatively small number of respondents, in-depth interviews with sex workers (all of which, apart from one, have had personal experience with intermediaries[2]), as well as with three men who participated in the organisation of prostitution, gave us valuable first-hand insights into understanding the complex relationships between sex workers and intermediaries and the organisation of sex trade. In this chapter we will present the profiles of intermediaries who participated in our research and the experiences of sex workers with the organisers. Representatives of NGOs that provide support to street-based workers in Zagreb and Split contributed to this study with additional information.

Intermediaries' Profiles

Although there is a general lack of research on both street-level pimps and the managers of indoor establishments where sex work takes place (Weitzer, 2005), several studies have provided information about how intermediaries became involved in the industry, the organisation of their business and the relationship with the sex workers. May, Harocopos and Hough (2000) examined the dynamics of sex markets in the UK and found out that pimps running street-based sex workers had long criminal histories and did not necessarily define themselves as pimps. Another study, based on the responses from interviews with 25 ex-pimps in Chicago (Raphael & Myers-Powell, 2010) showed that 88% of interviewees suffered physical abuse growing up, while 76% experienced sexual abuse. In many cases (44%), difficult family circumstances and abuse forced them to leave home and turn to pimping in order to survive. Besides choosing

[2] And all of them now work or claim to work independently. As other studies have shown, pimp-controlled sex workers are those that are most likely unable to respond to requests for interviews (Williamson & Cluse-Tolar, 2002).

pimping as a survival strategy, several other pathways to pimping were discovered in this study: 1) one thing led to another (mainly street life and prostitution), 2) they were coerced into pimping (mostly females), 3) pimping fulfilled their needs for a missing sense of power, control and respect (Raphael & Myers-Powell, 2010, p. 2).

No similar research studies have been conducted in Croatia, and we have no empirical data on prostitution organisers. NGO representatives who provide support to street-based sex workers in Zagreb and Split noted that they were familiar with different types of intermediaries (or in their terms pimps), which confirms the comparative research findings that organisers of prostitution are not a homogenous group (May et al., 2000). Our informants have, for instance, encountered situations where married couples see prostitution as a "family business" – husbands as intermediaries, wives as sex workers, and where women engage in sex work, together with their partners as intermediaries, to feed their drug habit:

> (...) When she really becomes addicted (...) she just goes from one boyfriend to the other, and he is not really her boyfriend but her partner in drugs, and then they come up with ways to get the drug ... he's looking for clients, she gives the services, and then they share the money for drugs (HELP representative).

It was also mentioned that prostitution of Roma women in the streets of Zagreb seemed to be family organised:

> It is organised, meaning fathers, uncles, brothers ... He just like opens the van, you know, he puts them in a van, brings them there in the evening and in the morning they pick them up in the van again (LET representative).

Although our study focused on sex workers' experiences, we also interviewed three men who have been involved in organising prostitution, since they were the ones who approached us, following media coverage of our research. These men don't see themselves as pimps but instead as the sex workers' protectors and helpers.

Two of them socialise with the street-based sex workers. They both have drug and alcohol addiction problems and describe their financial situation as very poor. One of them claimed that he protected women free of charge, as a friend:

> If they need help, if someone attacks them (...) I am here to defend them but free of charge (...) I don't find clients for them, nor do I know their clients, nor does it interest me. Who they go with, what they do – it's their business, whether they go free of charge, whether they go for money – that also doesn't concern me (Mate).

Petar, on the other hand, said that he set the rates. For instance, if a sex worker wants to earn 200 kuna from one deal, he will ask the client for 500 kuna which will leave him with 300 for protection. He also explained that he sometimes provided methadone pills for drug addicted sex workers. As shown in a number of studies, finding money to buy drugs is one of the main reasons why women enter street-based sex work (May, Edmunds & Hough, 1999) and drug dependence is often substituted for violence as a means of coercing compliance from sex workers (May et. al 2000; O' Neill, 2001).

When asked if sex workers were free to reject clients, he explained that this was not really an option if they owed him money for drugs. Asked whether he used violence, he responded negatively, but then said that he had "occasionally slapped them", adding that other men were not as benevolent as he was. Petar also talked about how he and the "girls" often robbed clients together. He explained how the sex worker would lead the client to an abandoned house and then:

> I will storm in with another guy: 'What are you doing here, sister?!' I will slap her and say [to the client]:'You will now give me all the money you have' (...) We have done that so many times.

Finally, Petar said that he tried to help women when he could, and gave us an example of baby-sitting a sex workers' infant while she was working on the street.

Vladimir was engaged in organising prostitution for several years but left the business as it was too stressful. Unemployed despite his college degree, he became an intermediary in order to provide for his family. Around the year 2000 when Vladimir entered the business, sexual services in Croatia were advertised mainly in the newspaper, and it was necessary to enclose one's ID card to place an ad. As sex workers were afraid that the police would easily find them that way, Vladimir would place an ad and leave his phone number as a contact person instead. In return for arranging the meeting, he would get 20% of the sex workers' earnings. In time, Vladimir also became a driver for many sex workers. He claimed that he had never forced women to do anything they did not want to:

> It was normal for me to refuse if you don't like a man (...), complete tolerance, freedom in everything. (...) You don't like him, you see it as dangerous? Come back now! This is not the case with these other professionals. [3]

[3] If no sex would take placeVladimir would take money for driving costs only.

Even though he saw his work as a business, Vladimir described himself as an amateur in comparison with the "professional" pimps who had entirely organised businesses, connections with the police and many sex workers under their protection and control. He didn't have much contact with these pimps involved in "elite" prostitution but got to know five other organisers in Zagreb better. Except for one, they were all family men, unemployed and with financial difficulties, constantly in fear of being exposed by the police. They had families, said Vladimir, so,

> it was not all the same for them if they got screwed.

Vladimir explained that he began working because he needed the money, but emphasised that one of his main motives was to provide help and support for sex workers:

> It all started because of money. So, a difficult financial situation ... when you don't work and have four children, it's a disaster (...) So money, but then later on it was all about helping. Not that I exploit, I could have charged more then (...) I was doing that to help these girls ... so, in a friendly manner.

He, for example, found an office job for one sex worker when she decided to leave prostitution and spoke with great affection about another, remembering how he tried to stay in contact with her children after she died from cancer.

Vladimir's story confirms that what starts as a business arrangement can develop into something else; even though the relationship between sex workers and intermediaries is mainly perceived as an economic one, it is also based on mutual dependency and trust. As they lead similar lives, often excluded from the rest of society, it is not rare that a significant level of intimacy develops in these relationships (Hoigard & Finstand, 1992, in: O'Connell-Davidson, 1998, p. 47).

As Vladimir drove sex workers to meetings and spent a lot of time with them, when questioned about their experiences with other organisers he said:

> No one complained (...) Everyone was absolutely satisfied, had a fair relationship. No coercion, everything was agreed upon, they would call each other and worked when they wanted to.

However, the experiences of the sex workers we talked to tell a different story.

Women's Experiences with Intermediaries

While all of the women we interviewed now work alone, all but one have had intermediaries before. Mima, who described pimps in general as "people who are certainly not educated, who have police files, former convicts, prisoners, who are ... the mob", had a few pimps, all of whom were also her romantic partners. The other respondent, Ana, got connected with her first pimp through an escort advertisement. During their cooperation she had sexual relations with him, which she now regrets it as he gave her gonorrhoea. Afterwards she had three or four other pimps, including her best friend (also an addict). As she now sees it, "not one of them was sane in the brain".

Marina, who works on the street, previously had pimps as it was the only way to work when she entered the business. While she works alone now, she mentioned her "minders", whom she sees primarily as her friends, even though it seems that these relationships are not completely free from exploitation.

Željka has never had a pimp but has worked with others: after she left the club where she provided sexual services, her friend would often find her clients as well as one taxi driver she had a deal with. She reported that these relationships were free from exploitation.

Tea was sold to pimps when she was 18 years old by a man she believed to be her boyfriend. She was abused and exploited by them for a year and a half before she managed to escape. She later worked independently and is now involved in advocacy for sex workers.

Unlike other women from our sample, Nina has never had an intermediary. She stated that entering sex work was her own choice, a business decision and explained:

> It is imperative for me that I am the one that makes all of the choices. I will not accept every call (...) I would never agree to someone else making the deals for me.

Pimp-Related Violence and Control

Studies on prostitution have discovered violence as an "endemic feature of women's experiences and life-history narratives" (O'Neill, 2001, p. 82), and there are many reports on pimps as perpetrators of violence. May et. al (2000) found that sex workers who are pimped are at a greater risk of physical and emotional abuse and that pimps are routinely violent, often using or threatening the use of guns. Hodgson (1997) found that 85% of his respondents had experienced physical assaults by pimps, while Hoigards' & Finstads' (1992) study reported on acts of brutal violence such as beatings, knife wounds, rape and murder.

Kennedy, Klein and Bristowe (2007) recognised five techniques that pimps use to keep sex workers in the business and prevent them from leaving prostitution: a) love,

b) debt, c) drug addiction, d) physical power and e) position of authority.[4] Bovenkerk and van San (2011) use the term "loverboy" when describing how in some cases sex workers believe to have an intimate relationship with their male partner who acts as an agent and forces them into prostitution, while Zelizer explains that these relationships lacked authentic intimacy (Zelizer, 2005). Drug dependence is often connected with having "debts" and has tended to replace physical coercion in many relationships between sex workers and pimps (O'Connell-Davidson, 1998).

Apart from one sex worker who has never had an intermediary, all others have suffered some form of violence from pimps, for reasons such as earning too little, refusing a client, having some sort of debt towards them, trying to exit prostitution or just "getting out of line". Tea, who was forced into prostitution, explained how pimps had complete control over her:

> When you are constantly afraid then the other person has the power. When he threatens your family, when he threatens that he will beat you up ... How will you fight back if you turn to the police for help and learn that you will not get it, that they will throw you back where you were? There is no hope for you then.

When she was first arrested she tried to explain to the police that she had been held against her will, but the police, she reported, did not believe her and threw her back on the street. She said:

> When pimps realised what had happened the beating started (...) I managed to escape once, but not for long, they kidnapped me, tried to kill me, but in the end they didn't ... was it that they were afraid or that they had changed their mind ...

In addition to suffering physical violence, she was also subjected to economic violence as her pimps would sometimes make her work with up to 50 clients in a row and then take all of the profit in order to punish her for disobedience.

Mima had a pimp who was her lover, and was with her 24 hours a day. He made her seduce men in clubs, put drugs in their drink and then steal their money. She told us and that she now suffers from posttraumatic stress disorder.[5] Coming from a dysfunctional family and with no income, Mima had to do everything her pimp wanted,

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[4] O'Connell-Davidson distinguished similar types of enforcement: confinement, force, obligation, the threat of withdrawing protection and supply of drugs. (1998, pp. 46-47).

[5] In their research on 130 sex workers in San Francisco, Farley and Barkan found that 68% of respondents met the criteria for a diagnosis of posttraumatic stress disorder. (1998).

"just to have a roof above her head". However, she eventually found the courage, and with the help of a local NGO, went to the police. As her pimp was known to the police because of different criminal activities, they placed Mima under protection and her pimp was convicted and given a suspended sentence. Mima is still engaged in sex work to earn a living but now works alone. She explained:

> I would rather be hungry for bread then go back to something that was before. I want to forget it.

Ana told us how her pimp threatened to kill her mother once when she did not want to work during her menstrual period. He also forced her to work when she begged him to get some rest:

> Or when they rape you, when you work with two guys at 6 am, that thing [vagina] hurts, you desperately need heroin, you are starting to shake but he just forces you to work with two men at 6 am. I say: 'But my working hours are done, I want to go home and sleep, let me be.' No, you have to.

Another respondent, Željka, who had provided sexual services in a nightclub, said that the club owners (and prostitution organisers) were not violent in general but didn't allow women who worked there to leave without asking. Since their employees lived in motel rooms above the club, club owners had control over their whereabouts and restricted their freedom:

> ... we were not allowed to go out, that was the only thing (...) They suspected that the girls earned money when they went out without them knowing, without them getting some. (...) I know that they took 600 euros from that girl just because she went out. Did he hit her, I can't remember, but I think he did.

In our research, we also came across the issue of racketeering in the sense of payment for the location or operating on someone's territory. As Marina told us, when she started working as a street sex-based sex worker she was told that she had to give a portion of her earnings to men who were "in charge" of those streets:

> You were not allowed to work then if you didn't agree that someone protected you.

She added that she had never received any protection in return and that these men would sometimes beat her and take away all of her profit. As O'Neill explained:

"'Protection' is not usually about protecting her [sex worker] from the violence of clients but from being pimped by other guys." (2001, p. 160).

The rates intermediaries imposed in return for their services (arranging deals, providing protection, placing ads or driving them to hotels and clients' apartments,) varied from case to case – from a small fee to the total amount earned. For instance, when Željka started working independently, she had an arrangement with one taxi driver who would find her clients and in return he asked for 50 kunas or a prepaid mobile phone card only. On the other hand, Ana's pimps would usually take one half of the profit but would also:

> (...) ask for sex, like – let's make out a little. What can you do? Say no and lose your pimp?

A LET representative explained that pimps on the streets often demanded a certain profit from women every night, and if a woman did not comply, "he will beat her as an example to others of what will happen in the future". The most brutal case she remembers is the murder of one sex worker in Zagreb a few years ago – the pimp burnt her alive. Under pressure to meet their pimps' quotas, sex workers lower their rates during the night and even accept clients' demands for sex without protection. This confirms the findings of Norton-Hawk (2004) that making enough money to support the pimp exposes women to additional risk, which is why pimp-controlled sex workers are more likely to be the victims of violence from customers. Not only will they less likely refuse a client even if he seems dangerous, they will more often have sex without protection which exposes them to significant health risks.

(Non)reporting of Violence

While all of our respondents who once had pimps suffered some form of violence from them, only two reported it to the police on two occasions. This goes in line with the results of similar studies (May et al., 2000; Williamson & Cluse-Tolar, 2002) which show that pimps rarely get arrested for assaulting sex workers, although research evidence worldwide suggests that the women they have control over are often subjected to brutality. Williamson and Cluse-Tolar explained that the power pimps maintain over women is akin to that used in abusive relationships (2002, p. 1089) and that sex workers learn to cope with it "by not focusing on the abusive aspects for what they are but by instead encapsulating those aspects of their pimp that serve their needs for security and protection" (2002, p. 1087). A long-time judge of the High Misdemeanour Court we interviewed acknowledged the fact that pimping itself was an offence rarely prosecuted in Croatia,

stating that only one out of a hundred cases regarding prostitution she had come across was focused on pimps (see also the chapter on prostitution policy and practice).

Many factors prevent women from pursuing legal assistance – fear that pimps will harm them or members of their family, fear that they themselves will get arrested for engaging in prostitution and also lack of confidence in the police. Mima, who had pressed charges on her pimp, received police protection and was generally satisfied with how she had been treated. On the other hand, Tea told us that the police have never provided her with any protection since they were, as she claims, bribed by pimps. A few years later, her pimps were prosecuted and she had to testify. Instead of feeling at ease, Tea explained that she was scared as her pimps and abusers were not held in custody during the trial:

> I constantly received threats, I was constantly monitored so I would change my testimony. It was impossible to live like that (...) I didn't want to come to court because I was afraid (...) Those man were out there (...) I was in danger that something like kidnapping, or something else, would happen to me again.

Marina told us that she had also been afraid to report her previous violent pimp. She reported that he had recently approached her and said:

> hats off to you for never turning me in, the things I've done to you ... there is nothing I didn't do to you and all of the worst.

(Dis)advantages of Working with Intermediaries

Although comparative research shows that many sex workers are self-managed (May et al. 2000), especially since new marketing strategies such as advertising on the Internet increased the feasibility of working independently (Bruckert & Law, 2013), only one sex worker from our sample has never been involved with an intermediary. She remembered how she had once met two girls who were obviously very unhappy and forced to engage in sex work and she asked one of them:

> Why are you doing it then? Why do you let someone take the little money that you earn? (Nina)

Ana, who had intermediaries before, now works independently and wonders*:*

> What are they good for anyway? There is a need to get rid of pimps and somehow legalise prostitution so that there are no more pimps, so that the police and state monitor the entire system and that there is no punishment of prostitutes, for nothing, my God ... it should be legalised.

She also said that since she works independently she can take her time with her client, have a conversation and not just take her clothes of, which was the case when the pimps were in charge of her schedule. Still, she pointed out that it would be good to have a driver but was worried that having one would be interpreted as organised crime in the eyes of the law.

Tea similarly talked about the need for some sort of protection and that not all intermediaries are violent exploiters, which is why it bothered her that the law positioned all third parties as criminals:

> ... it needs to be established what compulsion is. Because I find it weird, if you say pimp, what is it, what is pimping? To me, this is not clear ... Because if there is no problem between 'the pimp' and the woman who works for him, so, there is no problem, no compulsion, no taking of money, I do not see it as pimping. If you want to ban something, you have to make clear what it is that you have banned.

Bruckerts' and Laws' study (2013) similarly emphasised that it is not only incorrect but also dangerous to define all intermediaries as abusers "in that it risks denying sex workers the myriad of diverse and useful services that third parties may provide – including those integral to their safety and security" (2013, p. 12). Vladimir's story gives us one such example, as the relationship he had with sex workers was consensual and, in the end, mutually beneficial:

> When word got around that I take 20% and 100 kunas for driving, then some of the girls who were somewhat neglected by their pimps came to me and begged me if I could work with them because they couldn't live like that [without income] anymore.

Despite the fact that their general attitude towards pimps was negative, our respondents mentioned some positive aspects of working with them. Ana told us she had gotten arrested once for engaging in prostitution and her pimp paid for the fine.[6]

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[6] The High Misdemeanour Court judge we interviewed also remembered how pimps would in some cases pay for the sex workers' fine. Hoigard and Finstad (1992) explain how in the countries where sex workers are arrested and taken into police custody, pimps have an important role – to pay for the fine.

In addition, she explained that it was sometimes nice to know that someone would protect you if a client got abusive or refused to pay. One time she witnessed how her co-sex worker's clients didn't want to pay the agreed rate for anal sex when her pimp came to the door and threatened them with a gun:

> Anyhow, they gave him the money right away (...) So sometimes, I miss that protection.

As Vladimir explained, the women he worked with felt more confident knowing that someone was waiting for them in the car, and the client had the impression that it was a serious organisation, reducing the possibility of violent behaviour:

> When she came [and met the client] she immediately called me – everything is all right – and the client heard: this is all organised. After that, if she didn't call me when she was supposed to, after half an hour or an hour, I would call immediately.

As discussed previously, he himself was keen to help women in other aspects as well.

Additionally, NGO representatives mentioned how working with intermediaries (or in their terms pimps) might benefit the health status of women engaged in prostitution. As noted by a HELP representative, some of them demand their sex workers to take STI tests, even if they themselves would rather not:

> There is one good thing – they take care of their 'commodity' in the sense of keeping it healthy (...) The pimp is the one who won't let them leave until they get tested. He has to know what his 'commodity' is like and what he's dealing with. Word travels fast, (...) and when one is HIV positive or has syphilis or some other sexually transmitted disease, he then loses money. (HELP representative)

LET representative noted that pimps would ask for up to 1,000 condoms a month in their NGO, "to protect sex workers so that they can work for him as long as possible".

Concluding Remarks

Due to our small sample, we cannot claim that we can provide a comprehensive description of organised and pimp-controlled prostitution in Croatia, but we can make some conclusions based on our respondents' narratives. While not all sex workers are controlled by pimps, those who are face significant risk of physical and emotional

abuse. Some of our respondents were beaten up heavily by pimps, some were not allowed to leave the apartment without asking, and some were threatened and forced into other forms of criminal activity, such as robbery or fraud. Due to fear that pimps would harm them or members of their families, fear that they themselves would be arrested for engaging in prostitution, and also because of lack of confidence in the police, in most cases sex workers did not report their pimps and ask for legal assistance. Furthermore, not only do pimp-controlled sex workers frequently suffer violence from pimps, they are more likely to be the victims of violent clients and are in greater health risk since they are under constant pressure to meet the pimps' quota. However, as it is in their interest to keep women engaged in sex work for as long as possible, some pimps will make sure that their sex workers take STI tests and supply them with condoms, which might have benefits for their health status. Except for one of our respondents who was forced into sex work by pimps, others were drawn to it by other factors such as unemployment, poverty, drug addiction and/or dysfunctional families. Therefore, we can conclude that pimps do not provide the only route into sex work but play a large role in keeping women engaged in it. To do so, they sometimes use threats and violence and sometimes non-violent means such as supplying drugs. All of our respondents that were controlled by pimps stated that they took a significant portion of their earnings in exchange for protection but would rarely provide it. They now work independently, which leaves them with more profit and freedom, but some stated that they felt more comfortable knowing that "someone was waiting in the car for them" and having someone who would pay for the fine if they got arrested. That is why they question why such consensual relationships are also considered pimping.

Accounts of the intermediaries we interviewed also question the concept of pimping and the stereotypical description of all organisers as exploiters. These intermediaries kept a friendly relationship with women engaged in prostitution and considered themselves providers of helpful services. This shows us that organisers of prostitution are not a homogenous group and that individuals get involved in the management of sex work in many different capacities and for a variety of reasons, such as unemployment, lack of opportunities or being in the same social circle with the sex workers. Just like sex workers, they too believe that legalising prostitution in Croatia is the only way to eliminate the existence of pimp-related violence, providing a safer and healthier working environment for people engaged in prostitution.

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RELATIONSHIPS WITH THE POLICE: CONTEXT OF REPRESSION

Stephanie Stelko & Ivana Radačić

Introduction

Depending on the legal framework that surrounds sex work in a specific context, the role of the police in overseeing the sex work industry shifts from being a punitive force to providing protection to sex workers. The nature of the role of the police influences the micro-level interaction of police officers and sex workers. Although a decriminalisation framework cannot guarantee police officers' respectful attitude towards sex workers, it has been shown in New Zealand that the relationship between the police and sex workers improved following decriminalisation of sex work (Armstrong, 2016). On the other hand, "laws that criminalize or penalize sex work have the effect of creating an antagonistic relationship to authorities that limits sex workers' ability to report abuse without compromising their safety and their economic security" (SWAN, 2015, p. 25).

Many reports from around the globe indicate that in criminalised settings police violence tends to become one of the major, if not primary, concerns of sex workers, especially those working in the streets. Such cases have been reported from Central Asia and Eastern Europe (SWAN, 2015; Rhodes, Simić, Baroš, Platt & Žikić, 2008; Baros et al., 2017), South Africa (Rangasami, Konstant & Manoek, 2016) and the United States (Clark-Flory, Gilat & Cuen, 2015; Arrington et al., 2008), to mention only a few. Rhodes et al. (2008) identify several forms of police violence towards sex workers: sex by deception and coercion, extortion of money and information, discrimination in the form of "moral punishment", public humiliation and shaming and the extreme violence driven by contempt (mostly towards trans-sexual sex workers). They also note how police violence pushes sex work to less visible places and disrupts sex workers' informal networks, which makes sex workers more vulnerable to STIs, as well as client violence (Rhodes at al., 2008, p. 1). Rangasami et al. (2016, p. 13), similarly, offer a systematised list of violations of South African sex workers' rights by police which, apart from physical violence, includes being forced to pay a bribe or perform sexual favours to be released from custody, unlawful fines and arrests, violations of procedures and standing orders and being denied access to justice. In the United States, "interactions initiated by police, even mundane ID checks, were characterised by humiliation, abuse, arrest, and extortion" (Arrington et al., 2008, p. 49).

Until now, information about the relationship between sex workers and the police in Croatia has been non-existent, even though it seems that police repression is a main source of concern for sex workers, with significant negative implications for their health, safety and well-being. In this chapter we present the experiences the sex workers we talked to had with the police. We have also included the data gained from other informants and the analysis of the case law. It is to be noted that our respondents mostly talked of past experiences with the police and a few of them have not had contact with the industry for a while, so our findings might not reflect the police practice today. Furthermore, a more thorough study of the relationship between sex workers and the police would also need to include interviews with police officers as well to gain insights into their experiences and perceptions, and this is indeed planned for our future research. A small pilot research with police officers on this subject, conducted as a final thesis for the course the second author was teaching, indicated that many police officers were critical of the role that the current legal framework imposes on them with respect to sex workers.

Problematic Policing Practices

As mentioned in the chapter on policy and practice, the policing of sex work in Croatia is problematic, which is connected to the unclear definition of the misdemeanour offence (falling into prostitution). Arrests and the detention of sex workers often seem to be arbitrary, and the main targets of the law are sex workers in the most precarious situations, such as street-based workers. Such situations exist in other countries in Eastern Europe and Central Asia with a similar legal framework. The SWAN study, which included 15 countries of Central Asia and Eastern Europe,[1] showed not only that the sex workers are most often subjected to harassment and violence during arrest and detention, it also found that arrest and detention themselves are often arbitrary (2015, p. 22). Moreover, the study showed that police repression (even when lawful) has significant negative effects on sex workers, such as their displacement, isolation and dependence on the exploitative third parties (SWAN, 2015).

Our study revealed differences in the policing practices in Split and Zagreb (see chapter on prostitution policy and practice). In Split, the police tolerate street prostitution (while using sex workers as informants with respect to other crimes) and target lower level apartment prostitution, advertised on the internet and in the

[1] Albania, Bosnia and Herzegovina, Bulgaria, Hungary, Kazakhstan, Kyrgyzstan, Macedonia, Montenegro, Poland, Romania, Russia, Serbia, Slovakia, Ukraine and Turkey. As many of these countries have similar legal frameworks and similar context, this study is used predominantly as a reference in this chapter.

newspapers, by undertaking undercover operations. Targeting small-scale prostitution, which occurs in *private* apartments (mostly without any involvement of a third party and without any elements of exploitation, judged from the case law) by using under-cover police officers on the basis of the Act which regulates misdemeanours against *public* peace and order, does not seem to be justified. Moreover, as seen in the chapter on the prostitution policy and practice, prosecution in these cases is based on the indirect evidence of what the suspect had told the police (most of the times without legal representation).

The police in Zagreb conduct street raids where commercial sex is known to occur. According to our NGO informant, this happens two to three times a week, and sometimes even twice in one night. As she explained, raids are more frequent when police need to "build up statistics" or if "streets needs to be cleaned" because of some official visit. Our informant assessed these arrests as indiscriminate; anyone found on streets where prostitution is suspected of happening is arrested. On a few occasions, even the NGO workers were arrested. This practice does not seem to fulfil the basic requirement for arrest, that of a reasonable suspicion of the commission of a crime. Furthermore, as seen from the analysis of the case law (chapter on prostitution policy and practice), reasons for arrests are often not stated or are not sufficiently concretised, even though this measure needs to be in line with the requirements of the right to personal liberty and security.

Sex workers known to the police are particularly at risk of arrest. As the SWAN (2015, p. 48) study found, "police control over sex workers extends far outside when they are actually working and becomes a form of social profiling for repression of those identified or presumed to be sex workers". For example, one of the sex workers with whom the second author (the project leader) informally talked to prior to commencing the project (and who meanwhile died) told her that she was almost arrested once when she had met her adult son on the main square, as police had automatically assumed that he was her client. The practice of arresting persons known to the police regardless of concrete evidence of the offence has significant implications for sex workers' liberty and security, as well as private life and the freedom of movement. It also has consequences for the psychological health of sex workers as their lives are impacted by the fear of arrest. Further, as discussed in the chapter on sex workers, spending time in jail impacts the ability of sex workers to take care of their children and can be a cause of depravation of their parental rights. Indeed, the late sex worker talked about this problem. She was grateful to the nuns who worked in the kindergarten her children attended for helping out in such situations and taking care of her underage children.

All of our sex working research participants had contacts with the police related to prostitution, and all but one were apprehended as the defendants (one was a witness/victim in a prostitution case). Some were apprehended many times. For example, Tea claimed to not even recall how many times exactly she had been apprehended as it happened regularly, on a "monthly basis". Some of the case files of the Misdemeanour Court in Zagreb note up to 70 convictions in a three-year period preceding the judgment.

Fear of "Getting Caught"

The SWAN study noted how fear of police arrest or violence created psychological stress and caused distraction, as well as negatively impacting the safety of sex workers (particularly street-based), who were less focused on safety assessments (2015, pp. 29, 44). Our participants reported a high level of fear of police officers and of getting arrested. Not only did they talk about the fear of going through the misdemeanour proceedings and getting fines, but also about the fear of humiliation and harassment during arrest and detention. Several participants in our study have described the fear of police as "always hanging above them", especially during negotiations with clients, as they could be under-cover police officers.

> You make an arrangement with someone [a client] and then when I come [to the meeting point] I always think: 'It might be the police again'. So it puts pressure on you. I can't really walk through the world, you never know when they will come, whether I'm going to be exposed to maltreatment, questioning, insulting (Nina).

Vladimir, a former intermediary, also talked about how women with whom he had been in contact with were afraid of the police:

> It [fear of being discovered by police] is always hanging above your head. And you don't know [when it is going to happen]. Fear of being caught, it is terrible. She would lose her children, all would fall apart.

Extortion of Free Sexual Services

The SWAN study (2015) also found that many sex workers have experienced extortion. The sex workers, as well as informants who participated in our study, told us that this sometimes happened in Croatia as well. Ana, for example, emphasised, "it is most disgusting when he takes out his badge and demands free sex", and expressed her wish that relationships with the police are "put in order". Marina has not had this

experience, but said that she heard other street-based sex workers talk about it. This was also confirmed by Mate:

> They do not arrest these women because they use their services.

Another (former) intermediary, Vladimir, also talked about this:

> Unfortunately, there were also such people in the police who would, when a girl would come to him, show her the [police] badge and so on and use her, without paying. Of course she was all happy she didn't go down.

Similarly, the priest who has been helping street-based sex workers in Zagreb told us:

> Women have confirmed themselves that, when they would submit themselves to a policeman, they would be set free.

One of our participants told us that she was once offered protection in exchange for sexual services by a police officer. She described what happened when she met for a drink with a new potential client, who turned out to be a policeman:

> Then he started telling me that he would help me, that he would stand up for me if anything happened, that it would be *smarter* for me to agree to have sex free of charge with him so that he could help me at any time (...) 'Think about it one more time, it would be smarter for you to say yes, because when you find yourself' – not *if*, but *when* – 'you find yourself in some kind of situation, I would help you'.

In addition to the problem of extortion of services by police, research reports the practice of extortion of money by the police (Rhodes et al, 2008; Arrington et al., 2008; Rangasami et al., 2016). The police extortion of money is widespread in Serbia and is an instance of unlawful repression (SWAN, 2015, p. 26). Our participants did not talk about this practice.

Abuse and Disrespectful Treatment of Sex Workers

A study carried out by SWAN found that sex workers across Eastern Europe and Central Asia reported physical and sexual violence by police largely occurring during arrest and detention or under the threat of arrest and detention (SWAN, 2015, p. 48). In this study 20.9% of the interviewed sex workers experienced physical violence, while 13% experienced sexual violence by the police in the year preceding the interview. Most

of our respondents also had negative experiences during arrest or detention. The fear of being mistreated during arrest and detention was one of their main sources of anxiety related to contact with police. Tea, who has been out of prostitution for eight years now, claimed that when arrested, she and other women would spend hours in the police station, during which they were called "whores" and told many times they were "useless". She claimed that they were treated "like garbage".

Nina also complained about the way she was treated in the police station. Even though she was there as a victim/witness she claimed that she was treated disrespectfully because she was suspected of being a prostitute. She felt offended by the fact that police officers addressed her in an informal manner[2] and had a disrespectful attitude towards her. She reported what she had been thinking at the time:

> You have no idea about me, you don't know who I am, you don't know what I am, you don't know my history, you don't know what kind of person I am. I am reduced to what you think you know about me. To the fact that you think I'm a whore and that makes me a less worthy person.

An NGO representative who has witnessed several raids on the streets of Zagreb talked about how police used inappropriate vocabulary towards the women they were arresting:

> I mean there is really a lot of discrimination, like verbal, against women, 'how many whoremongers (*kurviša*) did you have, you whore, have you been swallowing' and so on.

While she did not witness physical violence, some of the sex workers reported instances of physical violence. Tea explained that she and her colleagues would sometimes experience "the yellow pages", as she called it: being hit with a heavy phonebook. She also said that she was slapped on a few occasions "so that her head would turn". According to Tea, at the time she was working (eight years ago), such behaviour was not uncommon:

> I don't know how it is now, but they used to be really harsh (...) When I had to go to the police station, I would pee my pants out of fear. But [it was] really stressful, because I knew what to expect there, and what to expect later.

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[2] In Croatian, addressing someone who is not a friend, family member or a child with the pronoun 'ti' in formal situations is considered rude. The pronoun 'Vi' should be used instead. Nina claimed that the police officers addressed her with 'ti' straight away.

The priest who has been helping street-based sex workers in Zagreb also mentioned that some of the women previously reported police officers being physically rough. Petar, the "minder" of street-based sex workers, stated that sometimes the police would be "physically rough" but that women "have to tolerate this as they are committing a misdemeanour offence".

Some women experienced psychological pressure during arrest or police questioning. Mina reported such an experience in proceedings not related to prostitution. However, it was not clear from her story whether the fact that she was a sex worker had any impact on how she had been treated.

None of the interviewed sex workers have ever reported harassment from police officers to the police, as they wanted to avoid further unpleasant situations. The SWAN study also found that sex workers were often reluctant to report police crimes, particularly in countries where they are criminalised, due to various reasons: previous negative experience with police, threats by other parties (e.g. managers or partners), collusion between police and management, as well as police actions that dissuade reporting, such as threats of retaliation, police collusion (2015, p. 53-58).

Failure to Provide Information about Rights

Rangasami et al. (2016, p. 12) found that the most difficult aspect of South African sex workers' lives was police violence and harassment, as well as police abuse of law. Our respondents complained that the police often did not follow arrest and detention protocols and failed to inform women about their rights, which sometimes resulted in the deprivation of certain defence rights, such as the right of legal representation or the right to contact a friend or family member. Nina said that when she was apprehended for prostitution she had been threatened by the police officer that he would "drag her around the hall [of the police station] with handcuffs on" and that he was going to humiliate her in front of everyone if she refused to cooperate. She also claimed that she had not been informed about her rights. She explained that she had told the police officer that she wanted to use her right to a make a call, but that the police officer refused it and deprived her of her mobile phone. She also claimed that he had falsified his report in order to make his case stronger.

On another occasion in the police station, when she came to be questioned as a victim/witness, she claimed that the police officers did not react well when she expressed to them that she wanted to use her right not to answer certain questions that would incriminate her (they asked her how long she had been in prostitution). She claimed that they were not aware of this right, and they also told her that she

had no right to legal representation, even though as a suspected victim of sexual crime, she had that right.

While Nina is well aware of her rights, and finds this really important, Tea explained that most sex workers did not know their rights.[3] She also claimed, based on her past experiences, that they were not sufficiently informed during arrest:

> They [the police] read you some kind of rights, you don't even know whether you're allowed to call someone, whether you have the right to a lawyer, nothing, they just don't tell you anything. At least they didn't tell me. Nothing, you simply come there [to the police station], sit there, see them, five inspectors working on that case, commenting between themselves ...

Putting it shortly, Tea's perception of police behaviour towards sex workers is reflected in this quote:

> [the police think] she is absolutely a whore and that's how she should be treated.

According to her, once arrested, most sex workers "confess everything that the police puts on them," just in order to be set free as soon as possible.

> They bring you in, write some statement and make you sign it, you do not even read it. They are detained there from 6-12 hours, brought before a judge all exhausted, and they accept anything just to go out.

Indeed, our case law analysis confirms that in the vast majority of cases sex workers had confessed misdemeanour offences at the police stations (and later before the judge).

Lack of Protection

According to the SWAN study (2015), the experience of police violence during arrest and detention was not only the main deterrent for sex workers to report police violence, but also violence from other actors such as clients and pimps. In other words, when assessing the possibility of reporting it, the risk that violence could happen again often made sex workers decide not to report. Other factors that impeded reporting

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[3] This is one of the reasons we wrote a booklet explaining human rights and the rights they have under Croatian legal framework. The booklet is available at: http://www.prostitution-cro-slo.com/wp-content/uploads/2017/05/Kako-za%C5%A1tititi-prava-Informacije-za-osobe-koje-se-bave-prostitucijom.pdf

crimes were found to be: previous experiences of police inaction or mistreatment, fear of arrest due to self-incrimination, inadequate protection from the threats by the perpetrators, threats by abusing managers, fear of losing custody of children (SWAN, 2015, p. 63-68). Reporting sexual violence was even more problematic due to general myths and stereotypes about rape. The study also showed that when sex workers report crime, they are often faced with inaction and harassment, or end up being prosecuted themselves in criminalised contexts (SWAN, 2015, pp. 70-71). This has happened in Croatia as well. The analysis of the case law of the Misdemeanour Court in Zagreb in 2014, undertaken by the second author, revealed two cases of prosecution of sex workers who called police to help them deal with clients (in one case the client wanted the services that were not agreed to, and in the other, clients robbed the sex worker).

The sex workers we interviewed were well aware of the problem illegality created in reporting crimes. They said they would not report violent clients or pimps to the police because they were convinced that they would be the ones to bear the consequences. Nina and Mima explained that the context of illegality made it impossible to report crimes.

Moreover, the whore stigma, rape myths and the context of gender discrimination were also the reasons sex workers did not report crimes of sexual nature (for rape myths in the legal system see Radačić, 2014). As Ana explained:

> You cannot report rape, because you're a whore.

Tea also noted the gendered aspect in policing prostitution (police officers are mostly male and sex workers female) and placing this in in the context of gender discrimination concluded that this affected how the police treated sex workers:

> But the police are sloppily doing their job related to prostitution and everything because it is, as they say, still a female profession ... you can treat her, as they say, worse than a dog on the street.

Even when sex workers do report crimes, they are not always trusted. Possibly due to the legal framework that criminalises sex workers, they are predominantly seen as the villains, even when they themselves claim to have been forced into prostitution. For example, when arrested for the first time Tea told the police that she had been forced into prostitution and deprived of her freedom by the pimps. The police were, in her opinion, "totally disinterested" in hearing her story:

> They kept me the whole night [in detention] and then let me out on the streets and then when I figured out that I was alone in the streets, that the pimps were in the streets, they [pimps] picked me up and that evening I got a 'treatment' [was abused].

She claimed that no help or support was offered or provided to her, despite the existence of the Department for Victim and Witness Protection, as well as several non-governmental organisations that help trafficked persons, which in her opinion, should have been notified. Moreover, Tea believes that police were in collusion with her pimps and disclosed information she had given them, due to which she was bitten by the pimps when released from police custody.

Collaboration with Pimps

In the view of some of our participants, one of the barriers to receiving protection is the connection between the police and pimps. As discussed above, Tea claimed that this was one of the reasons why she had not been offered help as a victim of forced prostitution. She reported:

> When I told them [the police] what had happened to me [that she was forced into prostitution], they didn't believe me, they had already gotten the money [from the pimps] and they threw me back in the street.

Our informants also talked about the collaboration between the police and pimps, claiming that there were instances where pimps bribed the police officers or where police officers extorted money from pimps. As Vladimir explained:

> Those pimps would for example notify me – 'beware, today there's going to be a raid in that hotel, be careful, don't drive, we don't work – you get it?' They were tipped off, one has to pay for that too ... it is known.

An NGO representative noted the pimp-policeman connection as well, especially in elite prostitution:

> Ok, on the streets not that much, but in the one [prostitution] connected to escort and hotels, the police are very tightly connected with pimps.

She also observed a gendered dimension in their connection as well:

> (...) the functioning of pimps and policemen goes on two levels, I'd say on a financial level, they [pimps] give them [the police] some money, and second on a gender [level], like male to male.

Positive Interactions

While Tea was critical toward the police's response in her case, Mima had a positive experience when she asked for protection to escape from her violent pimp, who had already been known to the police for his illegal deeds. She had first turned for help to a local non-governmental organisation, a factor that the SWAN study (2015, p. 85) found as an enabling factor for reporting crimes to the police by sex workers. The NGO contacted local police which then offered her protection (her house was watched by them). She reported that she had been supported by the NGO and the police throughout the proceedings. Moreover, when asked about her support system, and who she could count on, she mentioned the head of the NGO and the police officers involved in her case. These are the people who helped her the most.

Mima's experience represents a positive example of the synergy between the police and other institutions – in this case the non-governmental sector – that many of our informants long for. It further shows that even in a criminalised context, the police role can shift from one of repression to ensuring sex workers' safety and well-being.

Concluding Remarks

In this chapter we presented information about police practices towards sex workers gathered during our research. We discussed several problematic aspects of the relationship between the police and sex workers. First of all, we noted the problematic (and diverse) practices of policing which are connected to the unclear definition of misdemeanour offence. The fear of arrest and contact with the police was also discussed, as it was identified as one of the problems by our research participants. They also spoke about police abuse and gave examples of extortion of services, as well as of psychological and physical violence, and the failure to follow the arrest and detention protocol. Moreover, in this chapter we also discussed the problem of impunity for the crimes committed against sex workers that are framed by the legal framework and police behaviour and attitudes toward sex workers, as well as the problem of police corruption and collusion with pimps. We also presented an example of positive practice where a sex worker was given support and protection to prosecute a violent pimp.

We cannot claim to have a broad picture of police behaviour and their attitudes towards sex workers in Croatia, in light of our small sample and because some of

what our interviewees talked about happened a while ago (in some cases even 10 years ago). For a more thorough study of police practices related to prostitution we would not only need a bigger and a more diverse sample, we would also need to include the interviews with police officers. Despite these limitations, the findings are indicative of certain problems in the interactions between the sex workers and the police. Sex workers who participated in this study have expressed the wish for more respectful treatment by police officers, including being informed about their rights during arrest and a more efficient collaboration between the police and other organisations providing help and support to victims of trafficking and violence. This will be discussed in the last chapter of the Croatian study

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RECOMMENDATIONS FOR IMPROVEMENTS: LAW REFORM, ORGANISING AND SUPPORT SERVICES

Ivana Radačić & Lynette Šikić Mićanović

Introduction

As seen in the previous chapters, most of our interviewees have faced a number of problems in their relationship with clients and intermediaries as well as state authorities (primarily the police). Some of them have been in particularly vulnerable situations, due to family problems, drug abuse, mental health issues, poverty and homelessness. Most of our interviewees experienced instances of physical, sexual and economic violence inflicted by clients and pimps as well as a lack of protection from the police. Police harassment during arrest and custody, as well as failure to respect their rights as suspects, was also mentioned as a problem by some of our interviewees.

The human rights abuse that sex workers experience in Croatia are facilitated by the framework of criminalisation. As seen in the chapter on prostitution policy and practice, sex workers are frequently arrested during raids on the streets of Zagreb, while police in Split engage in undercover operations and raid apartments. Both of these practices have problematic elements from the perspective of the right to personal freedom and security. As seen in the chapter on police, sex workers are often not sufficiently informed about their rights and are sometimes harassed by police officers, which is a violation of their right to be free from inhumane and degrading treatment and their right to personal freedom and security. The elements of the offence are not clear; convictions are most frequently based on the admission of guilt (given without a legal representative), and trials generally last five minutes, all of which is problematic from the perspective of the right to a fair trial. Moreover, sex workers are afraid to call the police in cases of violent clients or pimps, as they risk being prosecuted themselves, which undermines their enjoyment of the right to be free from inhumane and degrading treatment. Support systems are also insufficient; due to the stigmatisation of prostitution, our interviewees do not feel comfortable disclosing their occupation to health professionals or social services. Moreover, some are unaware of their rights within the health care and social care systems and have no contact with NGOs.

Our research participants suggested a number of constructive recommendations to address the problems they face. Some of these suggestions have also been

recommended by international organisations and have been implemented in some countries and are examples of good practice. Here, we present the proposals for improvement given by our participants and discuss international standards and good practices that support these proposals. While our focus is on the views of sex workers, we have included the perspectives of other informants, where they support sex workers' proposals or add something unique.

Legal Framework Changes: Decriminalisation / Legalisation

Decriminalisation and legalisation are consistently mentioned as necessary changes by all our sex worker respondents and all but one informant (an attorney at law). Although these two terms have different meanings and implications (legalisation is more focused on protecting public interest, while decriminalisation is more focused on the rights of sex workers),[1] nuances of which most (but not all) of our participants do not understand, it was unanimously agreed that the criminalisation and penalisation of sex work needs to be reformed. When asked what could improve the situation of sex workers, Ana responded:

> In my opinion, legalisation. I see the option of getting rid of pimps as the only solution; that is first. Persons who work alone should not be penalised.

She further explained that legalisation would solve their problems with pimps, which most interviewees viewed as one of the key issues impacting their work.

> There is a need to get rid of pimps and somehow legalise prostitution so that there are no more pimps, so that the police and state monitor the entire system and that there is no punishment of prostitutes, for nothing, my God ... it should be legalised.

A similar view was expressed by an NGO representative, who claims that under current regulations pimps profit the most, while they cause the most problems.

Another sex worker, Mima, questioned why prostitution had not been legalised:

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1 These two models differ in the degree of control the state has over sex workers. Namely, there is less control in jurisdictions that have a model of decriminalisation (e.g., New Zealand) where the focus is on the protection of sex workers' rights. In comparison, control is greater in contexts of legalisation (registration, medical examinations) and is directed primarily at the protection of social interests (public health, public order and peace). For an overview of legal solutions, see Mossman, 2007. For an overview of European public policy see Jahnsen & Wagenaar (2017).

> I don't understand why, if somebody does this, why is this not legalised and why has some kind of house not been built, so we can help, see what kind of help these women need.

Nina talked about decriminalisation as an ideal solution which would also help women organise themselves. Tea also talked about decriminalisation and proposed specific changes to Croatian laws. With respect to the Criminal Code provision, she said:

> (...) it needs to be established what compulsion is. Because I find it weird, if you say pimp, what is it, what is pimping? To me, this is not clear. ... Because if there is no problem between 'the pimp' and the woman who works for him, so, there is no problem, no compulsion, no taking of money, I do not see it as pimping.

She also maintained that the provisions on prostitution in the Act on Misdemeanours on Public Order and Peace should be deleted and sex workers no longer penalised:

> This provision from the Misdemeanour Act needs to be deleted completely. People should be able to do what they want, I mean ... it is better if they work than go to prison, jail.

Penalisation of sex workers, whether direct (criminalisation of engaging in prostitution or soliciting) or indirect (applying provisions on loitering, vagrancy, impeding the flow of traffic, congregating for the purposes of prostitution, public indecency, or disorderly behaviour) facilitate systemic violence and undermine the sex workers' health and safety (Global Network of Sex Work Projects, 2013). Such legal solutions effect in particular the (usually street-based) sex workers who experience additional marginalisation, whether because of alcohol or drug use, precarious livelihoods, sexuality or gender identity, or ethnicity. They have thus been considered as incompatible with human rights standards. The Committee on the Elimination of All Forms of Discrimination against Women (the CEDAW Committee) has therefore consistently asked the state parties to review the laws that penalise sex workers, repeal provisions on administrative offences, suspend the imposition of fines and decriminalise women in prostitution.[2]

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[2] Concluding observations to the following reports: Russian Federation (2016), CEDAW/C/RUS/CO/8, para. 26 (c); Belarus (2016), CEDAW/BLR/CO/4-6, para. 27 (b); Republic of Moldova (2013), CEDAW/C/MDA/CO/4-5, para. 22 (d); Tajikistan (2014), CEDAW/C/

The European Parliament resolution of 2014 on sexual exploitation and prostitution and its impact on gender equality (the European Parliament Resolution) also calls on the Member States to refrain from criminalising and penalising "prostituted persons". It favours the model of the criminalisation of clients, which is the model our informant attorney at law also proposed. Sex workers are, however, opposed to the model. Moreover, researchers have noted the negative impact of this model on the health and safety of sex workers (Levy & Jackobson, 2014), as did Amnesty International (2016b). This is what Nina said when asked about her opinion regarding the criminalisation of clients and its rationale:

> The worst thing you could do is make the person a victim. If you are only a victim, you are stripped of ... I don't know, humanity, of everything. You are a victim, so you are poor, you need to be pitied. People should be empowered in all, even if they were a victim of something concrete in a specific situation. Let's empower this person! They [radical feminists] leave a woman in this role of the victim, they see themselves as better – they help these victims.

Sex workers' rights organisations favour full decriminalisation of all aspects of voluntary prostitution among adults (Manifesto on the Rights of Sex Workers in Europe, 2005; Global Network of Sex Work Projects, 2013), as it guarantees better working conditions, reduces social vulnerability and marginalisation of sexual workers and improves their health (Dziuban & Stevenson, 2015). There is also evidence suggesting that better public health outcomes occur when sex work is decriminalised and health promotion as well as outreach programs are properly resourced (Rekart, 2005; Donovan, Harcourt, Egger & Fairley, 2010).

The decriminalisation model is advocated by many UN agencies (UNAIDS, UNDP, UNFPD), as well as WHO. The UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health has also spoken against criminalisation of sex work:

> The failure of legal recognition of the sex-work sector results in infringements of the right to health, through the failure to provide safe working conditions, and a lack of recourse to legal remedies for occupational health issues (2000, p. 1).

TJK/CO/4-5, para. 20 (b); Bosnia and Herzegovina (2013), CEDAW/C/BIH/CO/4-5, para. 26 (a), Rwanda (2017), CEDAW/C/RWA/CO/7-9, para. 29(a).

Further, leading international human rights organisations such as Amnesty International (2016) and Human Rights Watch (2014) are also calling for the full decriminalisation of adult voluntary sex work. Amnesty International (2016a, p. 15) also calls the states to ensure the meaningful participation of sex workers in the development of any regulatory framework. These organisations maintain that criminalisation worsens the status of sex workers and has a negative effect on their rights, including their right to health, to personal freedom and security as well as freedom from inhumane treatment. The decriminalisation of prostitution in New Zealand has resulted in improved protection of human rights for sex workers (Abel 2014; Armstrong 2016; Abel, Fitzgerald and Branton, 2007) and an improved relationship between sex workers and the police (Armstrong, 2016).

Furthermore, the decriminalisation/legalisation of sex work enables people who are involved in this industry to establish organisations to ensure the protection of their rights. This was echoed by some research participants. Nina, for example, said:

> The ideal solution would be to decriminalise prostitution. In that case women could network better and they could establish more clearly what they want, how they want it, they could fulfil their rights, health protection, everything. They would not fear police ... it would be ideal.

De-Stigmatisation, Education and Awareness Raising

Research participants talked about the need to destigmatise prostitution. The need to combat discrimination and stigmatisation of sex workers is emphasised by the European Parliament Resolution (2014, t. 4, p. 45). Amnesty International (2016a, p. 9) urges states to include sex workers in drafting plans and programmes to fight stigmatisation.

While our interviewees were negatively affected by stigma, some have resisted it and demanded that prostitution should be recognised as "work" and a "way of earning a living" for those who choose to do it. Nina stated:

> I don't think that anybody has a right to tell me what to do. Did I think in my life that I would have a career as a sex worker? No! But we do it because of the money. Most people work because of the money, a few have careers which completely fulfil them as a person. We do not look at people through their work, it is not important what type of work s/he does, s/he is important as a complete person. We are not one-dimensional persons to be defined by our work. Same for me!

A need to raise public awareness about sex work, with the aim of dispelling myths and stereotypes about it, was also expressed. For example, Tea mentioned how the perception of prostitution was deformed because the media talked about it in a "sensationalist manner" and how it differed with regard to female and male prostitution:

> If you are a male prostitute, sex worker, you are cool, the man.

Nina stated how the media portrayed prostitution in a simplistic and one dimensional manner, by focusing either on elite or street-based prostitution, while not talking about people like her. She also noted that the public was hypocritical:

> Most people have one opinion for the public and one privately! ... They privately agree that prostitution should be legal, but they are afraid of saying it publicly so that they will not be judged as having some interest in it.

Mima described that the public viewed prostitution with disgust, while the media reported it in a sensationalist manner. Tea, talking about derogatory comments on forums, stated:

> I am also a member of society, as all others, so if others want me to respect them, I also want to be respected by them. I am also a citizen of this state, as are others. I have the same rights ...

Research participants also pointed out the need to raise awareness about human rights among sex workers and to improve access to information as well as educational opportunities for sex workers. Namely, it was noted that women, in the context of stigmatisation, often had little self-esteem, which made them vulnerable to abuse and was one of the reasons they were reluctant to report violence (while self-respect and self-esteem were deemed as one of the most important protection tools). Besides, they were often not aware of their rights. This was well summed up by Tea:

> Women should be informed about their rights. They should be given some sort of assistance, if they are working, on how to make it safer, a safer type of advertising, so that they can recognise a potential threat. There's a need to give them some instructions, that they have the right to a lawyer if they find themselves in such a situation, that they have all possible human rights. So if she is arrested she must know 'Yes, I have the right to insist on a lawyer', and she has to get a lawyer. She must know that she has the right to complain if her rights are ... she must know she can seek free legal help if she cannot afford a lawyer. She has to know she

> always has the right to call someone to say – I'm here, maybe you have to go pick up my child, this is what happened ... She must know these rights, she must know about her health rights, she must be able to look after herself.

Support Services: Sex Workers' Rights Organisation, Drop-In Centre

Sex workers' organisations play an extremely important role in the protection of the rights of sex workers and in improving the relationship between the police and sex workers (see e.g. Radačić, 2017). Our research participants also talked about the need to establish an association of sex workers aimed at raising awareness of their rights, including the protection of their health. For example, Nina stated:

> It would be great if they [sex workers] could associate to raise awareness about their rights, not to arrange business. But then some legal protection needs to be secured so that these associations could be educational, empowering, and so they would not be prosecuted for communicating.

An example of an organisation that closely works with the police is the Sex Worker Outreach Project (SWOP) in New South Wales in Australia and the New Zealand Prostitutes' Collective in New Zealand. There are also examples of associations in the region that have been established by sex workers for sex workers.[3] These organisations work in the following priority areas to improve sex worker rights: 1) Oppose the criminalisation and other legal oppression of sex work and support its recognition as work; 2) Advocate for universal access to health services, including primary health care, HIV and sexual and reproductive health services; 3) Speak out about violence against sex workers, including violence from police, institutions, clients, and intimate partners, while challenging the myth that sex work is inherently gender-based violence; 4) Oppose human rights abuses, including coercive programming, mandatory testing, raids and forced rehabilitation; 5) Challenge stigma and discrimination against sex workers, their families and partners, and others involved in sex work; and 6) Advocate for the economic empowerment and social inclusion of sex workers

[3] These include: Association of Hungarian Sex Workers SZEXE (www.szexmunka.hu) in Budapest; Star-Star (www.starsexwork.org) in Skopje; and Sloboda Prava (Equal rights) (slobodaprava@gmail.com) in Belgrade. There are also two other organisations in the region that generally work with socially marginalised and excluded groups where sex workers are involved as either outreach or peer workers. See: Association PROI (www.proi.ba) in Sarajevo and Juventas (www.juventas.co.me) in Podgorica.

as sex workers. There is also a network of sex worker rights advocacy groups in CEE and Central Asia – SWAN, which has been very active in documenting abuses of sex workers' rights in the different countries of the region (e.g. SWAN 2015, 2009). SWAN has also launched a community of learning website, a library/repository of knowledge, information and resources on successful advocacy tactics to defend sex workers' rights (www.sexworkersightscommunity.org).

Many of these organisations have been operating 24-hour drop-in centres, which have been platforms for sex workers to organise for the protection of their human rights and have considerably improved sex worker rights, status and health.[4] Although these drop-in centres vary, they generally include a combination of health care services, such as gynaecological, counselling and general health care. Legal consultation and assistance as well as a range of practical services and education are also available.

A 24-hour drop-in centre was one of the recommendations that emerged from this study. Ana, for example, stated:

> ... but there should be some sort of association, something, where you can call at three in the morning – 'I've just been arrested, blahblahblah'... – so that a lawyer comes ... Just to give you some protection, something should be open 24 hours a day , that's all ... I don't know ... and ... some centre that's open with those goddamn condoms or if you have a mental or any other type of problem – 'I've just been raped' – so that they are connected with the police and everything. There should also be a psychiatrist available, so that s/he could protect the mentally ill prostitute ...

A representative of LET also expressed a similar desire:

> I have been thinking for years how it would be great to have a drop-in centre somewhere on Svačić Square, to give them a space there when they are there anyway from 8 pm. So that they can come, I saw it in the Netherlands ... a warm space where they can come when it rains. They can drink tea or something, warm up and then you can have someone there who will deal with complaints, appeals, counselling, etc., for a few hours. But like this on the street, how are you going to do it?

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[4] Healthy Options Project Skopje (HOPS) in Macedonia, JAZAS in Serbia, Demetra in Lithuania, NIKTA in Ukraine, Odyseus in Slovakia, and Tais Plus and Tais Plus II in Kyrgyzstan (https://www.opensocietyfoundations.org/reports/centers-change-drop-centers-facilitate-sex-worker-led-human-rights-advocacy).

This type of centre would provide a useful and effective way of addressing day-to-day challenges that sex workers in vulnerable circumstances face. As a way of responding to their immediate needs, 24-hour drop-in centres would play a key role by providing sex workers with a safe place to gather, articulate their needs and experiences, as well as develop and guide appropriate responses. Suggestions included a combination of health care services, such as gynaecological, psychological and general health care. Many sex workers would benefit from counselling support because they often have many concurrent problems (i.e., needs for food, shelter, to pay bills and a safe place to rest) before sexual health becomes a priority to them. Legal aid and more accessible contact with the police in terms of intervention and prevention of violence would also be feasible through a 24-hour drop-in centre. Assistance in accessing identification documents, health insurance, social benefits, financial aid, and housing were also mentioned as services that could be provided through these types of centres.

Currently, however, there is no sex worker led organisation. There are only a few NGOs that work with sex workers, as part of harm reduction programmes that include sexual health promotion and prevention of sexually transmitted diseases. These organisations should be supported and be able to expand their services to include legal aid or anonymous and free sexual health centres (that are for example available at the New Zealand Prostitutes' Collective's premises – see Radačić, 2017). A representative from HELP (Split) expressed the need for accommodation facilities to secure a place for people who are waiting for HIV or other treatment in Zagreb (or elsewhere), as otherwise, especially if they are homeless sex workers, they often disappear. This organisation was assessed as an important source of support for our interviewees from the Split-Dalmatia County.

In addition, other relevant organisations (in particular women's rights, anti-trafficking, transsexual rights, human rights) should be more supportive of sex workers. This was noted by a Trans Aid representative who spoke of particular problems that transsexual sex workers face (such as lack of shelters for abused transsexual women, specific barriers to exiting due to lack of documents expressing the gender identity they identify with and police violence). A priest who has been financially helping women wanting to exit prostitution also emphasised that those who would like to exit often need some help financially:

> It does not make sense to tell her to stop doing it, if she is doing it because she has no financial means, this will not help her.

Tea suggested there should be a more effective and professional cooperation and collaboration between governmental and non-governmental organisations:

> If someone is crying out, 'please save me, this is what is happening', then if there are some organisations that already exist, some kind of organisation, state, non-governmental, they should say: 'We can contact them, or if you can get in touch with them and maybe they can help you and place you in a safe house, give you genuine advice or something similar.' This is not happening! But if you say that you are an association that cooperates with the police, and you say this in public, and you're not doing anything, then it's a little strange!

In addition, there is a need for a wider spectrum of services for sex workers which need to be accessible to them. Services need to be responsive to sex workers with complex needs, especially those in vulnerable situations. The problems may be related to existential problems such as lack of personal documents, health insurance, accommodation, mental health issues as well as discrimination based on race, sexuality or gender identity. Furthermore, support should be established for those who want to exit prostitution.

The need to establish comprehensive and accessible support services for sex workers and facilitate a way out for those who want to exit is recommended by the EU Parliament Resolution. In this Resolution the EU Parliament calls upon member states to set up intervention strategies, including psychological and social services to those who want to leave prostitution as well as the provision of regular and confidential counselling and health examinations. The CEDAW Committee has also consistently expressed concern about sex workers' lack of alternative income-generating activities, assistance measures (such as shelters and crisis centres) for sex workers and exist programmes for women who wish to exist prostitution.[5]

Improving Relations with the Police and the Judiciary

The CEDAW Committee has also addressed the sex workers' susceptibility to (gender-based) violence (such as police abuse, rape, extortion, beatings and attempted murders,

[5] See e.g. Concluding observations on the combined sixth and seventh periodic reports of Ireland (2017) CEDAW/C/IRL/CO/6-7, para. 33 (b); Concluding observations on the combined eight and ninth periodic reports of Sweden (2016), CEDAW/C/SWE/CO/8-9, para. 29; Concluding observations on the combined seventh and eight periodic reports of Germany (2017), CEDAW/C/GER/DEU/CO/7-8, para. 29 (e); Concluding observations on the eight periodic report of Ukraine (2017), CEDAW/C/UKR/CO/8, para. 29 (d); Concluding observations on the seventh periodic report of Switzerland (2016), CEDAW/C/CHE/CO/7, para. 28 (f).

forced non-usage of condoms)[6] and asked the state parties to ensure possibilities for sex workers to report them.[7] The conducted interviews showed a need to improve relations between the police and sex workers by eradicating all forms of abuse as well as respecting the rights of sex workers and protecting them from violent private parties. Ana's response exemplifies the importance of the relationship with the police for sex workers. Asked whether there was anything in particular she wanted to stress at the end of the interview, she said:

> I hope that our relationship with the police improves! I'm most paranoid about them.

Tea also noted:

> If you are detained, they need to know why they detained you and give you information why they detained you, you have to have some rights ... If you are at a police station you should have a normal conversation and not 'we have caught these four whores and now we are going to harass them'. You're there for five hours and they mention that you're a whore 500 times, that you are not worthy, that you should be beaten. The concept of police behaviour should be changed.

Recommendations for improving relationships with the police included training to appropriately sensitise police officers towards sex workers. A training on international human rights and relevant domestic law with an emphasis on "the need for respectful rights-affirming treatment of sex workers and members of other vulnerable groups" was suggested by SWAN, which also emphasised the need for police to cooperate with sex workers' organisations (2015, p. 91).

Our interviewees suggested that police officers needed to be better informed and more prepared for contact with sex workers. They also expressed their wish that police be more proactive in investigating crimes committed against sex workers. An example

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6 Concluding observations on the eight periodic report of Ukraine (2017), para. 30; Concluding observations on the eight periodic report of Belarus (2016), CEDAW/C/BLR/CO/8, para 27 (a); Concluding observations on the eight periodic report of Russian Federation (2016), CEDAW/C/RUS/CO/8, para. 25 (c); Concluding observations on the fourth periodic report of Kyrgyzstan (2015), CEDAW/C/KGZ/CO/4, para. 21 (c); Concluding observations on the eight periodic report of Bangladesh (2016), CEDAW/C/BGD/CO/8, para. 21 (f).

7 Concluding observations on the combined seventh to ninth periodic reports of Rwanda (2017), CEDAW/C/RWA/CO/7-9, para. 29 (b).

of good practice is New Zealand and the Australian State of New South Wales, where sex workers conduct training for police officers (Radačić, 2017).

A representative of LET mentioned the establishment of a liaison officer as an example of good practice. Such positions exist in some states in Australia, in the UK and Canada. A review of practices shows that a sex worker liaison officer is specially trained to provide advice and support addressing the specific needs of sex workers. These appointed officers facilitate better police / community (sex worker) relations by providing information and by coordinating the appropriate police response. In these countries, liaison officers work either in police stations or on the street and directly help sex workers in their dealings with the police. For example, they help sex workers in cases of harassment / sexual assault by partners, clients, employers or other workers. Importantly, liaison officers also have a role in educating their colleagues about relevant harm reduction approaches. Practice from these states has shown very positive results, including more constructive interaction between sex workers and the police, easier access to services needed by sex workers (especially those on street) and more frequent reporting of violence by sex workers.

A need to establish a liaison officer at misdemeanour courts was noted by the same NGO representative. She also thought that it would be good to monitor the practice of the misdemeanour courts. Tea suggested that judges should also be educated about sex work. Indeed, the case law analysis showed some problems in the judicial practice.

Concluding Remarks

This pilot study has shown that there are many problems in the implementation of the prostitution policy in Croatia and frequent instances of human rights violations of sex workers. Not only are sex workers susceptible to violence by clients, pimps and other individuals (family members, partners), they are also subjected to institutional violence. It is they who are the target of law, while violence against them is generally not sanctioned. Those in the most precarious situations are disproportionately targeted by law. Police practice seems to be problematic, as is the judicial practice, there being different interpretations of the offence. Our participants talked about harassment, abuse of power by police as well as police corruption. Furthermore, they talked about the violence they experienced from clients and pimps and how due to the criminalisation of sex work they felt unable to report the crimes.

Criminalisation of sex workers furthers their stigmatisation and violence against sex workers. Therefore, many UN agencies and some respected human rights NGOs challenge criminalisation. The EU Parliament asks the states not to penalise sex

workers. In light of these standards, Croatian laws need to be reformed. As suggested by Amnesty International (2016a, p. 7), as well as SWAN (2015, p. 91), sex workers need to be included in the process of legal reform.

Our research participants have provided ideas and guidelines for better laws and practices. Furthermore, they have explained their need for support systems and gave concrete examples of some suitable measures, including establishing a drop-in centre, awareness raising and education. These should be taken into account, if prostitution policy is to be feasible and effective (Wagenaar & Altnik, 2012). International human rights law standards should be respected in designing and implementing prostitution policy.

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SLOVENIA

PROSTITUTION POLICY AND PRACTICE: PECULIARITIES OF DECRIMINALISATION

Mojca Pajnik

Introduction

Early empirical studies in Slovenia dating from the 1960s approached prostitution primarily as a socio-pathological phenomenon (Kobal & Bavcon, 1969), which was also the most visible approach across Europe in this period. During the subsequent decades, publications were quite rare, much like elsewhere in Europe. The end of the 1990s was marked by liberal political forces in the Slovenian Parliament that started to open the door for decriminalisation, which was also the period when the first studies on prostitution were published. Scholarly texts have dealt mainly with the criminal and legal aspects of prostitution (Kanduč, 1998; Tratnik Volasko, 1996). Other publications included the perspective of social work in prostitution (Zaviršek, 1993), a publication based on discussions with sex workers about their experiences and views (Popov, 1999), and action research aimed at developing and implementing strategies of HIV / STIs prevention and promoting sex worker's human rights (Tampep, 2009).

In our own work we have opened up the perspective of researching prostitution in its effects on the everyday life of people who are engaged in selling sexual services (Pajnik, 2008; 2013, Kuhar & Pajnik, 2015). Moreover, we have pointed to the interconnectedness of the phenomena of prostitution and human trafficking, in their relation to gender, ethnicity / migration and larger context of social and economic inequalities (Pajnik, 2008). Also, we have critically analysed the ideological disputes that often frame both prostitution and trafficking debates (Pajnik, 2013). Furthermore, we have analysed legal practices in the field of prostitution in Slovenia (Pajnik & Kavčič, 2008) and have lately published research that analyses the marketisation of prostitution in Slovenia and internationally, in its relation to the rise of new media, the Internet in particular (Pajnik & Šori, 2014; Pajnik, Kambouri, Renault & Šori, 2016; Pajnik, 2015).

This chapter will provide an overview of the Slovenian prostitution policy. We will discuss the complexities of legal framing, with the particularities of the decriminalisation of selling sexual services, where the focus is on evaluation of regulations and their impact. We will devote attention to the analysis of legal practice and provide its reflection based on case-law data and expert interviews. Some implications of decriminalisation will be discussed, such as the shifting parallels between prostitution and

trafficking in human beings that are significant for the Slovenian context. We will also reflect on the options for future policies as they emerged in our interviews. In addition, we will analyse the diffused prostitution market in the country.

In this chapter we have limited the focus to the current legal and policy framework. We have not provided a mapping out of all the many legal stipulations and changes that have occurred over a longer historical period, i.e. since Slovenian independence in 1991 or even before that in Yugoslav times.[1] This analysis is thus based on the study of current legal stipulations, defined mostly in the Criminal Code and the Protection of Public Order Act. The analysis also includes legal practices. Especially insightful were the expert interviews conducted with specialised state prosecutors Jože Levašič and Darja Šlibar from the Specialised State Prosecutor's Office and with senior criminal police inspector specialist Damijan Roškarič from the General Police Directorate of the Republic of Slovenia. The semi-structured interviews were focused on obtaining the experiences and opinions of experts on the legal framework on prostitution in Slovenia, based on their investigation of cases related to the abuse of prostitution and human trafficking.

Legal Framework

In Slovenia, the selling of sexual services in general is not punishable. Selling sex has been decriminalised since 2003, unlike in most of the other countries from the Balkan region where it remains a misdemeanour offence. The currently valid Protection of Public Order Act, however, still refers to prostitution. In 2006 the conservative government introduced an article on "indecent behaviour" (Article 7)[2] penalising the offering of sexual services in public spaces if done in an intrusive way and if it disturbs anybody, provokes disquiet or indignation of people. Bluntly said, the law reintroduced discrimination; it problematically keeps the need to protect public morality by expelling sex workers from public spaces, yet this article was included in the reformed law without opposition or debate.

In the Criminal Code, only one article has prostitution in its title, i.e. the article on the "abuse of prostitution" (Article 175), which penalises with imprisonment participation in prostitution for exploitation of another person and instructing, obtaining or encouraging another to engage in prostitution with force, threats or deception.[3] Generally, this article is used to press charges against any person who is engaged in

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1 Analysis of some past framing and changes are available in Tratnik Volasko, 1996; Kanduč, 1998; Pajnik & Kavčič, 2008.

2 *Official Gazette* no. 70/06.

3 *Official Gazette* nos. 95/04, 55/08.

exploitation through prostitution, including pimping. In 2011 this article introduced penalisation of exploitation in and use of prostitution of minors. In parallel, enslavement and trafficking in human beings are also punishable, which are pursuant to international treaties and EU directives and are regularly monitored by a special interdepartmental group of experts.

Clients are generally not subject to the regulation of prostitution, i.e. the use of sexual services is not considered an offence in Slovenia except in cases when a client uses services of trafficking victims or of minors in cases when they know of such circumstances. This is regulated in Article 113 of the Criminal Code on trafficking in human beings that penalises trafficking in accordance with the definition from the Palermo Protocol.[4] This article defines trafficking by listing exploitation of prostitution together with other forms of sexual abuse, forced labour, slavery and trafficking in human organs. Prostitution is also regulated by some other articles of the Criminal Code, namely Article 101 on the crimes against humanity that penalises enforced prostitution in the context of a larger systematic attack against the civilian population, Article 102 on war crimes that penalises enforced prostitution in the context of crimes committed in times of war, and Article 112 on enslavement.

A Shift Towards Decriminalisation

Until 2003, "submitting to prostitution," i.e. selling sexual services, was prohibited and was subjected to imprisonment for up to two months or a fine. Legally, the decriminalisation of the selling of sexual services redirected attention from the persons who work in prostitution to their abuse, i.e. decriminalisation brought the strengthening of laws that deal with exploitation, abuse, deception and enforcement in prostitution. Our expert interviewees confirmed the change in practice, which is a shift from penalising persons in prostitution to prosecuting exploitation and abuse in the sex industry.

Liberal democrats, who proposed decriminalisation in 2001 and were the lead party in the government at that time, advocated for citizenship, human rights, and self-determination rights of sex workers. One of the proclaimed goals was to bring persons in prostitution and their clients in a comparable position before the law, and foremost, to empower sex workers to report violent incidents (Pajnik, 2008). As was the case with all prostitution laws and policies throughout the history of Slovenia, this change was supported by the argument of the protection of public health. In order to

[4] The so-called Palermo protocol or the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children from the year 2000, supplements the United Nations Convention Against Transnational Organized Crime.

protect clients and the spread of STDs, obligatory testing and treatment for persons who sell sexual services were proposed in the law. It was argued that persons selling sex would be allowed to work as free entrepreneurs, which hitherto had not been possible because no additional regulations had been adopted, which would enable them to register their work (Šori & Pajnik, 2018).

The strongest opposition to decriminalisation came from a group of people organised around Aleš Primc, an individual with support from conservative political parties and the Catholic Church, who announced a referendum to annul the law. His initiative began spreading fears of the rise of prostitution, claiming that prostitution would occur near schools, spoiling Slovenian children. Since Primc's initiative was unable to collect enough signatures, the referendum was not organised.[5]

Looking back, we can see that the proposition for the decriminalisation of prostitution was possibly a step towards full decriminalisation or to legalisation, however, no further steps in this direction have been taken since. Decriminalisation was actually not part of consistent prostitution policy planning. It was implemented more or less sporadically; we can assume that the proposition was supported by reference to certain regulation practices abroad and was not based on any specific research on prostitution that would consider the needs of sex workers in the country, which remains scarce and unsupported in funding to this very date.

Implementation of Laws[6]

In Slovenia, county courts (*okrajno sodišče*) are responsible for misdemeanour offences according to the Protection of Public Order Act. For the purposes of this research we obtained information from some district courts (*okrožno sodišče*) across the country (Ljubljana, Maribor, Koper, Novo mesto), and they reported that in the period between 2015 and 2016 they had no legal cases related to prostitution as indecent behaviour. While the law has kept the provision against "indecency", the non-existence of cases can be interpreted as positively mirroring the decriminalisation of selling sexual services. Marginality of street prostitution in Slovenia can further explain the nonexistence of cases, but the effect can also be the opposite, i.e. that the "indecency" provision

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5 Primc later established the Civil Initiative for Family and Protection of Children's Rights (*Civilna iniciativa za družino in pravice otrok*) the initial purpose of which was to overturn a law which would recognise same sex marriage; the initiative has been fighting against same-sex marriages, and also sexual education in schools and abortion (Kuhar, 2015). Since March 2017 Primc has also been the leader of the newly established political party Voice for Children and Families (*Glas za otroke in družine*).

6 I thank Neža Kogovšek Šalamon for her input to this section.

further marginalises street prostitution when the most precarious sex workers are pushed further to non-visibility.

In addition, we also obtained information from the district court in Ljubljana, competent for Criminal Code related cases of abuse of prostitution (Article 175). In the period between 2015 and 2016 no final judgments were issued in relation to this crime. However, during the time of writing this chapter two final judgments were issued in 2017, related to both Article 175 on abuse of prostitution and Article 113 on trafficking in human beings.

Further, we looked for data on prosecution. In Slovenia, the District State Prosecutor (*okrožno državno tožilstvo*) and the Specialised State Prosecutor's Office (*specializirano državno tožilstvo*) decide about the abuse of prostitution (Article 175 of the Criminal Code). The latter was established in 2011 and has since been exclusively responsible for the prosecution of crimes related to human trafficking (Article 113), including the abuse of prostitution (Article 175) when related to trafficking.

According to the data provided by the Office of the State Prosecutor General (*vrhovno državno tožilstvo*), district state prosecutors in Ljubljana and Maribor (two biggest cities) did not deal with any cases that received a final judgment related to the crime on the abuse of prostitution (Article 175 of the Criminal Code) in the period 2015-2016. However, the data pointed to a few cases brought to a final decision in other cities. Namely, the court in Murska Sobota delivered three conviction orders (two in 2015 and one in 2016), the court in Nova Gorica one conviction order in 2015 and the court in Koper one conviction order in 2016. In 2016 two conviction orders were also ruled by the Specialised State Prosecutor's Office (see table 1).

The tables below (see tables 1 and 2) summarise the total number (regardless of whether the judgment issued was final or not) of criminal offences dealt with by District State Prosecutors, including the Specialised State Prosecutor's Office in Slovenia.

Table 1. Criminal Offence According to Article 175, Abuse of Prostitution

Event	2015	2016
Received charges	9	4
Decision to reject charge	6	4
Request for an investigation	8	4
Indictment	11	4
Conviction	3	4

Source: The Office of the State Prosecutor General of the Republic of Slovenia

Table 2. Criminal Offence According to Article 113 on Trafficking in Human Beings

Event	2015	2016
Received charges	88	16
Decision to reject charge	7	8
Request for an investigation	94	11
Indictment	165	13
Conviction	8	6

Source: The Office of the State Prosecutor General of the Republic of Slovenia

Our expert interviews confirm the general "adequacy", as they say, of the legal framework and the positive results of their implementation, mainly its orientation to prevent abuse. Data on case law confirm the rising efficiency of the legal system in recognising human trafficking, despite the fact that, due to the nature of crimes, these procedures were usually long, spanning over several years. Our overview of court cases confirmed our previous findings (Pajnik & Kavčič, 2008, p. 151) that point to complexities and difficulties in proving exploitation in court procedures and application of the different notions of what in fact constitutes exploitation.

Shifting Parallels Between Prostitution and Human Trafficking

Analysing the legal framework and its practical implementation in Slovenia, and taking into consideration reflections from the experts interviewed, one can point to certain critical observations that mainly relate to the interconnectedness (versus dissociation) of the articles on trafficking in human beings (Article 113) and abuse in prostitution (Article 175). For example, the question arises as to whether these two articles are different enough to enable distinct (albeit in many cases also related) case law.

Thus, the two articles overlap, similar elements that define the nature of the offence are presented in both. Our expert interviewee Damijan Roškarič pointed out that the observation of potential problems with the disassociation of legal stipulations pertaining to trafficking and those pertaining to prostitution have been made by GRETA, the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (2014). According to the definition by the Council of Europe Convention on Action against Trafficking in Human Beings, trafficking includes three components: an action (such as recruitment, transportation), the use of certain means (such as threat, use of force, abduction, fraud), and the purpose of exploitation (such as prostitution of others or other forms of sexual exploitation). They observed in their report that according to the Slovenian definition of trafficking in human beings, it is

not necessary to prove the use of any means in order to establish a trafficking offence. "While acknowledging that this may contribute to making the prosecution of traffickers easier in terms of evidential requirements, GRETA stresses the need for the Slovenian authorities to keep under review whether this may lead to confusion with other criminal offences ..." (GRETA, 2014, p. 16). Roškarič believes that because of the absence of the use of any means in the article on trafficking in human beings (Article 113), the definition of the fundamental offence of trafficking for the purpose of exploitation of prostitution "comes close or mixes" with the abuse in prostitution (Article 175).

This is somewhat mirrored also in the work of the Specialised State Prosecutor's Office that decides on the abuse of prostitution only when it is related to cases of trafficking and identification of trafficking victims. Thus, "abuse of prostitution" is, in the work of the Office, related to a wider context of trafficking.

As Levašič stated:

> I think the case first usually relates to trafficking in human beings and it then evolves into abuse.

The existing legal stipulations leave open the question as to what the actual intention of the legislator was when defining Article 113 and Article 175. It also remains open if perhaps other legal solutions would be more appropriate, but there is no clear indication of such possible solutions.

Another practical consequence of the existing law is that it is focused on investigating vulnerability, which includes recognising victims circumstantially, i.e. defining victims as such even if they themselves claim the opposite. As reminded by Levašič, the legal system in Slovenia has never recognised consent in prostitution in legal procedures. For the existence of a criminal offence, it is irrelevant whether a person wanted mediation in prostitution or if they consented to mediation – it is most important that elements of abuse are detected, regardless of consent. This orientation has even strengthened over the years, both in actual stipulations and in legal practice, and it has primarily been focused, as was confirmed by the interviewees, on detecting vulnerability and uncovering exploitation.

Data and indications from our research indeed point to the practice where the prosecution has focused on providing evidence of abuse even if this was denied. While claiming consent might be a consequence of deception, potential objection to such practice is that it might perpetuate victimisation. Although, as explained by expert from the police we have interviewed, the police do not act in order to convince someone that they are a victim, and if the person involved in prostitution shows no signs relating to exploitation then the police:

> practically do not deal with these people (Roškarič).

The existing stipulations might have as a consequence prejudice in treating organisation in prostitution as necessarily exploitative and abusive. Even if prosecutors claim that pimping is exploitative, our interviews with sex workers have shown that this is not necessarily always the case. It should be considered that there is a fine line between consent and abuse. Also, the potential victimisation of sex workers may occur if and when perceptions of vulnerability in trafficking are transferred to the field of consensual prostitution of adults. If, on the one hand, experts working in the field were to obtain new knowledge, experience and sensitivity in uncovering victims and their vulnerability, as they themselves explained, on the other hand, this might have the mirror effect of an increased practice of victimisation that affects the agency of sex workers and a too straightforward description of relations in prostitution as necessarily abusive. At the same time, it is also important that they develop a legal practice that can detect exploitation beyond the expression of consent, as it is not always easy to determine between cases of violence and deception.

Here it would also be valid to ask, to what extent does abuse occur in other businesses beyond the sex industry, and why is trafficking for exploitation for other purposes than sexual exploitation not in the focus of legal policy-making. By opening these kinds of questions, we have necessarily bumped into the fact that the international community and national governments have over many years prioritised in legal attention and financial investment anti-trafficking programs that are as such far from being "neutral" (Andrijašević, 2016) and have consequently marginalised or ignored the voices of sex workers (Pajnik & Renault, 2014). We have found in our research that global discourses on the web produced by non-commercial (official, policy) websites on prostitution and human trafficking show, generally, bipartite polarisation, i.e. the persistence of the so-called prostitution paradigm and the trafficking paradigm, each representing a unique view of sexualities, with existent but very weak linkages (Pajnik & Renault, 2014).

A consequence of the joint effect of the two articles (Article 133 and Article 175) in practice is a small number of cases that consider trafficking not only for purposes of sexual exploitation but for the purpose of labour exploitation. GRETA (2014, p. 18) also added in their report trafficking in children, trafficking in persons from vulnerable groups, including Roma, as well as trafficking within Slovenia, as areas where Slovenia should develop more focus.

The consequence of the pairing of the two articles is also a potential bias for ethnicity and citizenship when cases involving Slovenian citizens are prosecuted according to Article 175, while cases involving migrant women are prosecuted according to the Article 113 on trafficking. Such a practice might *a priori* perpetuate victimisation of women with a migrant background.

A Future Shift Towards Regulation?

During the debate on decriminalisation in mid-2000 it was argued that persons involved in (adult, consensual) prostitution would be allowed to work as entrepreneurs, which until recently had not been possible, because no additional regulations that would enable registration of prostitution / sex work had been adopted. Recently, the Financial Administration of the Republic of Slovenia stated that persons selling sex could register their work as an occupation under "other personal service activities" in the Standard Classification of Occupations (SKP-08), and as an entrepreneurial activity according to the Standard Classification of Activities (Uredba, 2008). Specifically, in 2015, the Ministry of Economic Development and Technology had classified prostitution within "physical well-being activities", which also include baths, saunas, weight reduction salons, massage salons etc. For the first time, it was mentioned that prostitution could be carried out as a registered (and taxed) activity, with the presumption that it would be carried out as a small trade business.

However, it has to be recognised that the regulations did not explicitly use the word prostitution or sex work but referred to it indirectly, "masking" it under "other services". This shift came with the increased fight of the state against grey economy during the economic crisis, while there are no official data available on how many people in prostitution actually registered their work. As we have indicated, the data are not clear as to how many sex workers (if any) have registered under "other services". A further "complication" is related to the different definitions of prostitution / sex work that for some include the many jobs in the vibrant sexual industry, and for some are more limited (to direct sexual encounters).

The future of the possible enforcement of these legal options in practice is unknown at the moment (in 2017). Organised resentment does exist by some NGOs and other public bodies that work on anti-trafficking and programs on prevention of sexual violence. For example, we have recently witnessed an orchestrated action of the Women's Lobby of Slovenia, an anti-trafficking NGO, and of NGOs and other groups who are active in campaigns on violence against women, using the tone and the arguments from the 1970s women's movement, adopting an abolitionist perspective, proclaiming that prostitution is inherently violence against women and exploitation of women as victims.[7] Future orientation might also act in line with police reports that show forced prostitution and trafficking often occur through services provided by night clubs, catering trade and massage parlours, which might be used as an argument

[7] A recent (June 2017) "standpoint on prostitution" is available at: http://www.drustvo-kljuc.si/stalisce-o-prostituciji/.

to prevent regulation. But it might well be the opposite, that similar facts would be used to support the need for regulation.

Some experts (including the representative from the police and one from the prosecution office with whom we talked to) indeed recognise the need for regulation of prostitution. It was argued that legal-policy framework should progress in this direction, mainly securing the social wellbeing and health of people in adult independent prostitution. They claimed, however, that this would require not only the recognition of, for example, erotic dancing or even prostitution as occupations, but would primarily need some regulation of the conditions of performance of such occupations. Regardless of future policies, a pertinent problem in Slovenia remains lack of visibility and no self-organisation of sex workers whatsoever. Unlike in several countries across Europe and globally, both Slovenia and Croatia show non-existence of any organised voice of sex workers, which leaves the field of prostitution vulnerable to ideological insinuation, moralisation and victimisation.

Prostitution of migrants is also regulated in Slovenia, mainly through the regulation of work permits. In 2009, the government adopted new measures in the Decree on Restrictions and Prohibition of Employment and Work of Aliens, which limited the employment of "artistic dancers" with the reasons lying in the suspicion that women from "third countries" were victims of criminal acts of prostitution and trafficking. Besides the proclaimed goal to reduce trafficking in human beings, the adopted limitations for work permits were also accompanied by the rhetoric of protecting the "domestic" workforce at the onset of the recession.

The Employment Service of Slovenia, which issues work permits, monitors companies and individuals that are in need of these specific kinds of workers, i.e. they verify if their registered activity corresponds to entertainment or catering and whether their business is in line with legal stipulations defined in the Employment, Self-employment and Work of Foreigners Act and Prevention of Undeclared Work and Employment Act – they should be free from tax fraud, without conviction or suspicion of being engaged in exploitation of prostitution, etc. Based on the data obtained from the Employment Service, the issued work permits have dropped significantly in the last decade, from 2008 to 2015, namely from 937 issued permits in 2008, to 595 in 2010, to 82 permits in 2015. The country of origin of the people who are issued the permit has not changed, the majority are from the Ukraine, the Dominican Republic and Moldova.

Diffused Prostitution Markets and Discourses

Estimates on the general extent of prostitution in Slovenia vary. According to police data, which has been quoted by a group of members of parliament in support of the demand

for the decriminalisation of prostitution in 2001, there were approximately 1,400 women working in prostitution in Slovenia at that time. Proponents of the law also claimed that the number was presumably much higher, as the general estimation is that there are 1,500 prostitutes to every 1 million inhabitants, which was more of a speculation than a grounded estimate. Accordingly, between 3,000 and 4,000 women supposed to be working in prostitution in Slovenia, which is a figure often used by the police and reproduced in the media, without acknowledging references or methods used. No data are given for males or transgender people in prostitution. Until now, apart from collecting police data, no real effort has been made in Slovenia to research and methodologically justify the extent of prostitution. It should be noted that in the past, statistical data on prostitution was exploited to limit prostitution and disseminate the public health discourse on prostitution that criminalised sex workers. Even today the publication of statistical data has a similar effect. The analysis of the media coverage of prostitution has shown that the majority of the media manipulate statistical data and that the playing with numbers has had the effect of leading to a moral panic (Pajnik, 2003, pp. 154-155).

A major shift has occurred in the prostitution market since a decade ago, when we conducted empirical analysis based on the interviews with women working in the industry, their clients and organisers (Pajnik, 2008), and it is the widespread use of the Internet. In the Slovenian context this means an increase in advertising of sexual services via platforms such as Avanture, Sloescort, GayRomeo and others. Our analysis of the dynamics of sex commerce on the Internet that occurs on various websites, from night clubs, massage parlours, dating, escort, to multifunctional hubs in France, Greece and Slovenia, has found that websites and online networks represent sexuality as a commercial niche where gender, ethnicity and class intersect in the reproduction of gender stereotyping (Pajnik et al., 2015). Commercial websites, such as the Sloescort, show that clients can select a sex worker according to a wide range of criteria. Building up a distinct online community gives them the opportunity to exercise hierarchical power in relation to women and shape the sex work market according to their own interests. In this context we have reported about the "oligopolistic positions" of the sex industry organisers and clients online (Pajnik & Šori, 2014). These findings, however, should not be read in too much of a linear manner that would deduce a simplified equation of the Internet with exploitation. Online communities might have an empowering effect on sex workers, which was also confirmed by some of our interviewees. They reported that the Internet platforms facilitated their access to clients and that they enabled an increase of self-control in the working arrangements.

In the beginning of the 1990s, prostitution in Slovenia was organised largely in massage parlours, which were later replaced by escort agencies. A considerable part of

prostitution was and still is carried out in nightclubs (Šori, 2005), which was recently confirmed by our web analysis that found night clubs and massage parlours as the main online references to prostitution (Pajnik et al., 2015). In the last decade, the mass use of mobile phones and the spread of online platforms described above have both influenced the organisation of prostitution in private apartments. We can see some positive effects of the decriminalisation policy on the agency of sex workers coupled with the rise of technology that have enabled sex workers to self-organise and determine their own working conditions.

Our interviewees confirmed that access to sexual services is widespread across the country. There are estimates that the concentration of prostitution is greater in bigger towns, where the demand is greater because of the larger population. The demand is somewhat smaller in rural areas, but services are available across the country. Prostitution is also related to tourism; it is present in tourist centres, where cross-border activities, along the border with Italy, Croatia and Austria, are not uncommon. For example, during holiday seasons women from Slovenia might migrate temporarily to Italy or Spain, and it has been noted that women from Croatia, Serbia and other Former Jugoslav Republics come to Slovenia to work temporarily in the sex industry.

The polarisation of perceptions, where prostitution in night clubs or bars is mainly attributed to migrant women, while prostitution in private apartments to "local" women, has persisted over the years (Pajnik, 2008). Our interviewees who work in the sex industry have the same opinion; records from police investigations have also confirmed this trend over the years. Such "publicly accepted knowledge", which also includes the belief that night club prostitution means exploitation while apartment prostitution doesn't, should not be generalised but rather analysed on a case-by-case level. Despite the prevailing patterns, it should be considered that not all prostitution in clubs is necessarily forced, and that not all prostitution in apartments is necessarily force-free. Our interviewees reported about examples of violence in private placements as well, although the prevalent pattern was that this type of prostitution was to a great extent self-organised, based on mutual agreements between women about the organisation of the work.

Prostitution in massage parlours is usually related to "erotic massage" that might be a "code for sex", as was the expression of one of our interviewees. The term "hotel prostitution" (Pajnik, 2008, p. 114) refers mainly to offering escorting services to businessmen and is arranged in certain hotels in the hotel bar or through the reception staff; some hotels also advertise such services in materials available in hotel rooms.

Furthermore, prostitution is in some cases also related to drug addiction. This form of prostitution, including cases of prostitution of the homeless, has the lowest social position, is the cheapest and engages high health risks. This form is mostly also

related to street prostitution, which is marginalised, highly invisible and is not among the prevalent forms in Slovenia. Patterns of prostitution also include prostitution of minors, where cases, as reported by NGOs, usually relate to human trafficking.

Concluding Remarks

Since the decriminalisation of the selling of sexual services in 2003, all the subsequent changes in the Slovenian legal and policy system from the fields of prostitution have been adopted with the intention to synchronise the framework with international treaties and with the purpose of strengthening the prosecution of exploitation and abuse in human trafficking and prostitution. While focusing on the prevention of abuse is important, it is also limited to the expectation that the fight against exploitation, enslavement and trafficking in human beings alone will resolve the problems present in the sex industry. Complex realities in prostitution, and foremost the needs of sex workers, still have to be addressed. Future policies should be inclusive of sex workers' own experiences and opinions and should be responsive to their needs.

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SEX WORKERS AND SEX WORK: FROM ORGANISING WORK TO COPING WITH STIGMA

Mojca Pajnik & Emanuela Fabijan

Introduction

Persons working in prostitution in Slovenia predominately include women who are of different ages, from their early twenties and forties and older, with different educational backgrounds, from primary school to university degrees, and with various previous working experiences, often working in precarious jobs. Men were also found to be working in the sex business, while little is known about transgender.[8] Prostitution is considered a "marginalised field", which rarely gets space in the limelight, and when it does, it is most often associated with the disclosure of irregularities, violence and exploitation. With the rare exception, studies that assess work and life situations of sex workers in Slovenia are rare. First of all, this topic is hardly supported in funding, with other obstacles in place, such as difficult access – sex workers in most cases avoid any exposure – and stigmatisation, that limit possibilities of a study that would be based on a larger sample.

Our previous research was also qualitative. We previously conducted semi-structured interviews with women, including women with migrant backgrounds, working in prostitution to inquire about pathways of their work and life (Pajnik, 2008). The interviews that were conducted a decade ago (in 2006 and 2007) revealed different reasons why sex workers engaged in sex work, discussed various forms of work, encounters with clients, organisers, including the analysis of problems faced by sex workers (Pajnik, 2008, pp. 95-135). In a more recent study, we researched gay prostitution, based on the interviews with men who worked in prostitution in Slovenia (Kuhar & Pajnik, 2015). We categorised the male sex workers' narratives along the distinctions between the "devoid-of-choice-oriented" and "business-oriented" male sex work, pointing to

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[8] Our previous research (Pajnik, 2008, pp. 96-97) included an interview with a transvestite working in prostitution in Slovenia and internationally who confirmed the demand for sex services of transgender people. A rough estimate, browsing through Sloescort, is that currently there is a smaller number of people in Slovenia who focus on a specific market niche in the sex business, engaging and addressing needs of transgender people.

the somewhat blurred professional/private relations of the work, marking male sex worker's pathways.

This study is focused on interviews with women who work in prostitution (adult, consent) in the capital of Ljubljana with emphasis on self-organisation patterns. It represents a continuation of our previous work with the aim to understand various aspects of prostitution in Slovenia. Our data are indicative but do not allow for generalisation to the whole population of sex workers in the country. The aim was to go beyond the voluntary-involuntary, work-violence dichotomy and focus on analysing life trajectories of our interviewees, recognizing the peculiarities of their work. Research was focused on exploring the pathways into and within prostitution and the reasons for engaging in prostitution. Furthermore, we analysed the patterns of organisation, self-perception of their work as well as problems addressed by sex workers, such as stigma. Qualitative interviewing was adopted as a method as it engages in understanding the way interviewees think (Bryman in Walliman, 2006, p. 131) and also enables the analysis of objective structures and processes (Rener, 1993, p. 161) that shape the sex industry and sex work (for more see the introduction to the book).

Sample

Our sample includes nine interviewees, eight women and one man,[9] who work in prostitution in the city of Ljubljana. They are between 26 and 43 years old, with the average being 33.9. Comparing data on age given to us with the advertisements our interviewees published online, we found that portraying a lower age than the actual age in the advertisements was common practice. As explained by some of our interviewees, this is attributed to demand adjustment, as there is a greater demand for younger women. As far as education is concerned, two respondents have higher education, one of them a master degree. Six have completed secondary education, one of them is currently studying at university and one quit her university studies. One of the sex workers we interviewed has primary school education.

Some of the interviewed sex workers speak several foreign languages; one speaks English and German, the other Italian, Spanish and English, another English, German and Italian. Eight sex workers have Slovenian citizenship and one has Serbian citizenship. One interviewee lives with a common-law partner, two are married, the others are single. Five respondents have children.

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[9] Female interviewee wanted her male partner to join the interview as they occasionally work together as a pair.

Table 1. Data on Interviewees

Sex workers	Marital status	Type of work (currently)	Entrance into sex work and reasons	Sex work trajectories	Other jobs	Sources of income	Living arrangements	Relationships with clients	Relationships with intermediaries	Relationships with the police.
Lea	Married (1 child).	Massage parlour.	Economic reasons (lost job, had expenses also regarding studies of her daughter).	Worked in prostitution in Germany, then in Slovenia. Has worked in a massage parlour for the last 5 years.	Worked in a company for 9 years.	Prostitution.	Rents.	Many regular clients at massage parlours. Positive and negative experiences.	Had a few organisers (in Germany and Slovenia). Mentioned exploitation from those in Slovenia.	Experienced discriminatory attitude. Critical of police control over massage parlours.
Ula	Single, divorced (3 children).	Independent – apartment.	Curiosity, economic reasons.	In prostitution since July 2016.	Cooking, catering, production line.	Prostitution.	Rents in Ljubljana, owns property in home town.	Many regular clients. Mostly good relationships, experienced violent clients.	No relationship.	Police did not take measures when she experienced violence from a client.
Neli	Single (1 child).	Works with coworkers, intermediary – apartment.	Started in erotic massage parlour. Economic reasons.	Since November 2016. First in erotic massage parlour, then in prostitution.	Insurance; catering; delivering newspapers and commercials.	Prostitution.	Rents.	Respectful clients. Good relationships.	Previous intermediaries took great portions of her income. No exploitation from current intermediary, only flirting.	No relationship.
Iva	Single.	Independent – hotels.	Economic reasons.	10 years in prostitution.	Administration, sale, cosmetics.	Prostitution.	Owns real estate.	Clientele includes foreigners. Great relationships, friendship with some.	No relationship.	No relationship.

Sex workers	Marital status	Type of work (currently)	Entrance into sex work and reasons	Sex work trajectories	Other jobs	Sources of income	Living arrangements	Relationships with clients	Relationships with intermediaries	Relationships with the police.
Nataša	Common-law partnership (no children).	Works with co-workers – apartment.	Missing information.	In prostitution for 7 years, with breaks.	Promotion, sale, therapy.	Prostitution.	Owns real estate.	Business relationship.	No relationship.	No relationship.
Katja	Single, divorced (1 child).	Independent (occasionally with a co-worker)- hotels, rented rooms.	Economic reasons.	In prostitution for 5 years with breaks.	Catering; sales; reception; care for the elderly, persons with disabilities.	Prostitution, social benefits.	Designated lodgings.	Has foreign clients. Strictly business. Experienced violent clients.	No relationship.	Experienced discrimination on the basis of her occupation.
Zorka	Single (no children).	Independent – apartment.	Started in erotic massage parlour. Economic reasons.	7 years in erotic massage.	Health care; care for the disabled, elderly.	Prostitution.	Rents.	Business relationship. Positive experiences.	The intermediary in the massage parlour had taken a lot of money from her income.	No relationship.
Naja	Single (no children).	Works with co-workers – apartment.	Lost job, advertisement for erotic massage. Economic reasons.	In prositution since summer 2016.	Catering, promotion, administration	Prostitution.	Rents.	Respectful clients. Positive experiences.	No relationship.	No relationship
Mili (male)	Married (2 children).	Massage parlour.	Missing information.	5 years in massage parlour.	Production line, woodworking, carpentry, furniture installation.	Company income, prostitution.	Rents.	Clients at his massage parlour, a lot of steady clientele. Positive and negative experiences.	No relationship.	Critical towards the police because of constant control of his massage parlour.

Some of our interviewees work in sectors of erotic massage and escort. The majority of sex workers (5) organise their work in apartments, two work in an erotic massage salon and two prefer to change locations (for greater anonymity) and mostly work in hotels and/or rented rooms. All sex workers who participated in our research perform their work in Ljubljana, two of them also work in another city in the country.

When asked about their financial situation and their income, some respondents said that sex work payed off reasonably well, although situations can vary, depending on the extensiveness of one's work, experiences (with clients, marketing etc.), time available etc. Several respondents referred to costs that were related to the work, such as rent, and the fact that they could not earn money when sick. One informant was on welfare and one applied for payment of tuition fees for schooling. When we asked the respondents about their accommodation, five of them stated they lived in a rented apartment and two live in their own real estate. One lives in a rented apartment and owns a house in her home town, one lives in designated lodgings.

As for their sexual orientation, five of our respondents stated they were bisexual and four were heterosexual. Two respondents said they were Catholic, one Orthodox, and two defined themselves as atheists. Three said they were not religious (one added that she had been baptised but was not religious and one added that she was a communist) while one did not disclose this information. With regard to their health situation, majority assess their health situation as "good" or state that they do not have health problems. One has a disability status and one visits a psychiatrist (see table 1).

Pathways into Sex Work and Reasons for Working in the Sex Industry

The narratives of our interviewees point to a variety of individual experiences. Most interviewees mentioned being able to earn a living or to improve their precarious status as reasons for prostitution. Economic reasons for prostitution are related to general trends across the region, Slovenia included, with dwindling social welfare programs, cuts in education and health services, the rise of poverty and its feminisation, along with rising unemployment among women, income disparities as well as paternalist family and household structure (Fodor, 2002; Leskošek & Dragoš, 2014). These trends have contributed to scarce employment opportunities for women and have turned prostitution into one of those few occupations that provide a living.

The present results have confirmed our findings from a decade ago when interviewees similarly pointed to economic reasons (survival, improvement of current position, the need for financial independence) as a "general reason" for engaging in prostitution (Pajnik, 2008, p. 100). All nine interviewees we talked to for this study had

experiences with working in a number of other fields: they have worked in production, catering, hotels, cooking, shops, public relations, administration, cosmetics, health care, care for the elderly and the disabled, and have volunteered, for example, in the refugee centre. These jobs were temporary and they did not earn enough to survive or live a decent life. Below we will reflect on their individual stories – similar but also contrasting pathways into sex work.

Neli is a single parent with a disability status (problems with her sight), who started working in prostitution only recently. Previously she had worked in insurance and helped in a restaurant where earnings were poor. She studied comparative literature. At the time of the interview she had been working with an intermediary for two months to earn a living and to save some money. Before that she had worked in massage salons for four months where she experienced exploitation, i.e. had no say in arranging her work that was all pre-organised. The father of her child owes her money, and she has never received any payment from him for the child. She claimed she planned to work in prostitution until she saved some money. She was ambivalent about her work, saying that she had never imagined she would be working in prostitution and that she did not feel very comfortable with her work. She appreciates financial compensation but has difficulties having physical contact with clients:

> To me it is not very pleasant, but a person adapts to lots of things, there are worse situations than mine.

Some mentioned that the work was physically, and for some also psychologically stressful, while other respondents, in contrast, said that they found pleasure in their work.

Similarly to Neli, Katja has also had several previous work experiences:

> I worked in different occupations, in a shop, in a shop with sports equipment, I worked in drugstores, what else, then I worked in a hotel at the reception, just because of my knowledge of languages, even abroad, I worked in Italy, for four years. ... And then in a psychiatric hospital and in the elderly home in the dementia department.

At the time of the interview, Katja had been working in prostitution for 5 years with breaks in between because, as she stated, sex work was psychologically challenging for her. For this reason, she visits a psychiatrist. Her father was an intermediary in the sex business. She started working in this field because of financial distress.

Iva, in contrast, said that the work pleased her because, as she claimed, she is an adventurous type of woman who likes to meet new people and learns a lot in sex work that gives her an adrenaline rush. She mentioned travelling abroad while escorting foreign clients as a specifically positive experience. Having worked in sex work for 10 years, she wishes to assist women who see this work as any other business, so that they can improve as professionals.

Lea started working in prostitution because she had lost her job and couldn't find a new one. At the same time, her daughter had moved abroad to study, and Lea said prostitution had been her only option. Lea's plans for the future encompass active participation in the legalisation of prostitution in Slovenia and in offering assistance to sex workers regarding the protection of their rights. Lea, who had also worked abroad as a sex worker, has previously had negative experiences, such as being obligated to work without protection and exploitation by intermediaries.

Nataša has been working in prostitution for seven years with gaps in between. She organises her work with co-workers in an apartment. She wrote a book debut, a novel, which has been published. Naja also works with co-workers in a rented apartment. She said the reason she entered prostitution was to earn money relatively quickly so that she could start a business of her own. She had been working in prostitution for around nine months at the time of the interview. She wishes to have a successful career and stated that she did not want to marry or have a family:

> I was looking for ways of earning as much money as possible in as short an amount of time as possible, and I ran across erotic massages. ... I leafed through Salomonov oglasnik [the leading ad magazine in Slovenia] and there was an ad saying that they were looking for girls. I then called the number. It was acceptable to me, because I do not believe that I would find someone in my life with whom I would spend the next 50 of 60 years with. I have no interest in investing my time and effort in someone. Maybe that is why it was not difficult for me. I do not want a marriage, I do not want kids.

Ula said she worked in prostitution because her earnings were high, she was able to provide for herself and pay for the child-rearing of her three children who lived with their father. She plans to earn enough for an apartment. Her first husband had problems with alcohol and her second husband was violent towards her, which brought her problems with social services. She views her work as legitimate and temporary and plans to work in other fields in the future, such as massage and bioenergy.

Lea said that she "loved and enjoyed" performing erotic massages while Zorka emphasised how she had gained a lot of knowledge about massages. It is very

satisfactory for her to hear that she is getting better and better at massaging and that she is able to "fulfil fantasies". She has been working in the field of erotic massage for seven years, and she currently organises her work herself. She started massaging because of her financial circumstances; her plans are to finish her studies and get another job.

Mili has been working in massage parlours for 5 years, after experience in production, woodworking, carpentry and furniture installation. His parents are familiar with his work and are supportive. He is married and has two children. He says that he performed his work "with pleasure". Being a sex worker, he also runs a massage parlour and said he was thinking of starting to work on the black market in this field or moving to another country where prostitution was legalised because of constant police control in Slovenia and, as he says, false allegations regarding trafficking of his employees in his parlours.

Naja confirmed that reasons for prostitution in the business in general indeed varied:

> I work with girls who started doing this, because they have small children at home, they broke up with partners who were violent and did not get jobs, and then they had to ... they were I think forced, they did not see other options. So it varies, why somebody opts for it.

Neli argued that several sex workers were single mothers:

> All those I know, generally, are single mothers ... and then someone dares to criticise that she is doing something wrong because she fights for survival ...

All said that prostitution was voluntary for them and that they did not work under conditions of coercion and violence, but two had experienced violence in the past. Some visibly stressed that they were independent in prostitution, emphasising that they had made their own decision to enter prostitution because of the financial compensation, and added that this work temporarily suited them. Others highlighted somewhat more limited job opportunities and financial distress.

Patterns of Organising Work

Literature (Brewis & Linstead, 2000, 2002; West & Austrin, 2002; Maher, Pickering & Gerard, 2012) that theorises sex work from the perspective of work, its organisation and professionalisation has importantly contributed to the breaking of the predominant framework of victimisation and morality that still largely, both in public as well as in academic discourse, shape prostitution. In contrast to the literature that focuses on

gender and the sexuality dimension in sex work – otherwise an important emphasis in analysing sex work – the literature focusing on the work and organisation of sex work, on the "privileging work not sex" (Maher et al., 2012), pointed that sex workers did not feel sex work defined them more than other jobs defined other workers. These authors have argued for the need to move from the predominant theorising of sex work/prostitution as a sexual encounter with clients to what they call professional identity. It has been argued in this literature that sex work is comparable to many organisational structures in other industries as it requires a wide range of skills and knowledge, from entrepreneurship, financial management, promotion and marketing, knowledge of the law etc. (Maher et al., 2012, p. 168). Organisational patterns are shaped by the different strategies that the sex workers adopt, for example on how to manage encounters, how to minimise risk, negotiate with clients and employers, how to subvert restrictions (West & Austrin, 2002, p. 491), how to cope with stigma (Koken, 2012). Narratives of women from our sample to a large extent confirmed these findings and revealed the many strategies of "managing the business" to increase earnings. As said by Iva:

> You have to have a business plan for this job as for any other. If not, forget it.

As explained above, in this research we focused on prostitution that is organised in Ljubljana (mostly in apartments) and is performed by adult women. The first observation was that this form of prostitution is atomised and individualised, even when it is organised in groups, i.e. women ally to work together and self-organise their work but are not interconnected in hubs. Atomisation is defined here as a sense of disassociation of one case from the other, mostly due to the fact that privacy is a crucial issue for all. From our sample, the work of one interviewee takes place under the supervision of an organiser; she said that was for safety reasons, all others self- or co-organise their work.

Our interviewees in general devote a lot of attention and time to the organisation of their work in order to strengthen autonomy, safety at work and increase earnings. They mentioned different strategies for advertising or acquiring clients, setting rules and boundaries, education in sexuality, strategies for ensuring personal security and honest payment. Iva, for example, has put a lot of thought into advertising and how to make her ads more appealing to clients, attracting clients from abroad as well. Zorka reads a lot, education is important to her, it positively affects her self-perception.

Some interviewees said that they advertised their services at Sloescort and that they were quite dependent on clients that could reach them through this platform. Others, on the contrary, are very critical of Sloescort, saying that it controls and limits their work; these interviewees take a different strategy and spread their advertising

across different online platforms but also publish ads in hard copy magazines, both to reassure privacy and to devise a niche in the market, for example, to attract specific clients (older ones because some think are more responsible, clients who do not drink alcohol or use drugs, or foreign clients etc.). Naja emphasised:

> We don't advertise via social media, this seems too risky. It's not that anonymous. We publish advertisements in Salomonov oglasnik, sometimes also on online platforms. But we do not receive many clients from Sloescort. The majority of people go and actually buy the magazine, this is the way they come to us. Mostly they are older clients, this is what we prefer. ... And we have several phones, to keep our privacy.

Naja and Nataša explained the details of how they co-organise their work with their colleagues. Both reported of having good relationships based on common arrangements such as arranging the working hours, advertising, cleaning, washing towels, buying all the necessary goods, etc. Nataša said:

> Mutual help is welcome as there is a lot to do around advertising so we don't have to do this on our own but so that one of us does it for all. Also, regarding the arrangements of the room and bathroom, we make an arrangement and try to stick with it. If not, if someone forgets or has other obligations, then we rearrange the work.

Naja described the arrangements:

> We supply soap, towels, we always change them, and the sheets, we make sure everything is clean, and then we buy massage oil or cream. Condoms, lubricants we take care of these individually, while we buy other things together.

Interviews showed that good relations with co-workers influenced the general feeling our interviewees had about their work. Nataša said that she liked her work not only when she had good relations with her clients but also when arrangements with colleagues, co-workers were smooth. And contrary, she related her "bad days" to quarrels with co-workers that sometimes happened. Conflicts that the interviewees mentioned included not sticking with the arrangements that concerned division of work and possible jealously among co-workers.

Some other interviewees (Ula, Iva) prefer working individually. Ula explained that she spent a lot of time arranging all that was necessary to be able to work in safe conditions. She had the experience of co-organising with other women but eventually decided to go on her own as this enabled her to manage her own time and work. She

said that apart from setting conditions of work, working hours etc. she had a dog and a camera installed in the apartment for prevention of violence. Iva, on the other hand, has learned a lot about Internet platforms and how to manage them and puts a lot of care into the online advertising of her services.

Perceptions of Their Work as "Legitimate Work"

As mentioned above, economic reasons are among the prevailing reasons for engaging in prostitution. Our interview partners often associated entering jobs in other industries, including industries where they had previously worked (catering, hoteling, care work etc.), with the same reasons – people engage in different work to earn a living. It comes clearly from the interviews that economic reasons are not equated with exploitation – interviewees do not relate prostitution to violence and exploitation *per se.* Rather, they view prostitution as a form of work, related to other forms of work. This arose as a visible topic in the interviews.

Perceptions of prostitution differed mostly in accordance with their own experiences in the industry. Nataša, who self-organises her work, rationalised it as a legitimate way of making a living and emphasised the voluntary dimensions of prostitution. She adopted an understanding of prostitution that stresses its work dimension:

Prostitution is a business like any other as people directly or indirectly enter relations as suppliers, both with our knowledge, work, experience, as well as parts of our bodies. The boundary between whether we do it in a direct or indirect way is blurred in this activity.

Similarly determined is Iva who said:

> Sex work is a job like any other. ... We all need each other in the different jobs that we do.

Some mentioned the precarity of work in a capitalist society as the key problem, not allowing young people in particular to secure employment and housing arrangements. In this context, they highlighted the link between prostitution and other activities and believe that tackling stratification in society and improving relations in work would have a positive effect on the society in general, including relations in prostitution.

In the account below we see how Zorka relates prostitution to other activities and in general to systemic failures.

> I feel stigmatised, as a masseuse ... I stop talking about being a masseuse ... (but) I mostly feel stigmatised in the sense that I live in such a world, in capitalism, and that some people are very rich and have everything while others have nothing. I

> feel stigmatised in the sense that I am powerless, for example, that at the age of 33 I cannot get a flat and that I have to pay for rent.

Neli's narrative was similar where she referred to exploited workers who:

> work like horses all day long and do not get payment.

Or, she referred to working arrangements where bosses humiliate their workers. She rationalised her work as a legitimate way of making a living by associating it with other situations other workers also have and views her situation as "a fairly good option among the bad ones". She was critical of the public's and clients' perceptions of prostitution as something "inappropriate" and argued that it cannot be inappropriate to earn a living. Also, she critically reflected on the notion of individual freedom arguing against the capitalist system that exploited workers, made workers work hard and then spent their money in shopping malls.

> Mostly we are all essentially slaves ... In the morning you have to get up and go to work like a horse and then you wait to get paid and they tell you, with all their advertisements and propaganda, what you need. And then you spend the money that the rich people gave you, you give it back because you need a lot of things from the shopping centres. You need a million things ... It works like that.

Reflecting on their own work as a legitimate form of work in a capitalist system, our interview partners also pointed to some weaknesses of the current legal system of decriminalisation. Although it is vital that sex workers are not incriminated for sex work (as is the situation in Croatia), the grey zones of illegality bring several obstacles. Some emphasised the problems they faced for being engaged in prostitution, which is perceived as illegal work. Ula said she constantly felt like she was being controlled:

> You're checked by the police, criminal investigators, tax offices.

When legitimising their work and relating it to other sectors, our interviewees also pointed to other problems that arose from the fact that their work was not registered, such as not having the right to take leave, to sick leave, not being able to obtain a loan etc.

Stigmatisation and Marginalisation

All our interview partners problematised the social stigmatisation of prostitution and of sex workers. Stereotypes and prejudice were among the most common reasons

why anonymity and discretion in work were so important to all. The majority of our interviewees believe that disclosure, to family, friends, and not to mention the public, would accelerate personal stigma and have negative consequences on their life. At the same time, hiding one's work from people that are around can also be a burden; some interviewees mentioned the pressure they feel because they need to hide their work and lie to family and friends. All this is a telling empirical reflection of Goffman's (1963) definition that not only recognises rejection and exclusion as a consequence of stigma, i.e. "estrangement", but also influences one's own negative feelings about oneself because of stigma.

Perceptions about immorality, shame, darkness of prostitution, as well as public perceptions about prostitution being all about violence and exploitation, are projected onto sex workers, and some experience this in a negative way, often as guilt and personal contempt. The persistence of stigma is also related with the fear to speak in public or to organise and act in concert. Some respondents also pointed to the strategies of coping with stigma. Lea said that she disclosed herself to her family who now know about her work and are supportive; some say they just ignore the double morality social standard and focus on themselves and their work. This is how Nataša summarises the prevailing social perceptions:

> Perceiving prostitution as immoral is quite conservative and Christian, based on the principle of sin and punishment. Those who offer services are viewed as sinners and are punished by condemnation and labelling. According to the usual judgements, those who offer sexual services do not have other capacities or working habits and are from socially deprived groups.

Neli pointed to the problem of "double morality" when people perceive prostitution as something shameful and negative, and yet at the same they time secretly use sexual services. Also, she is critical towards social perceptions of prostitution as something "inappropriate". Similarly, Ula is critical of clients who use sexual services and then moralise about the abnormality of her work:

> Everyone thinks 'just look at her, the whore'. Look, she sells herself, but no one mentions the crucial point, what does it take to perform the work and what are the reasons behind it. ... They [clients] perceive us as whores, they do not view prostitution as a profession; they judge us.

Similar judgements were mentioned by Iva who pointed to defaming and prejudice like:

Look at her, look what she is like, look what she is doing.

One contrasting example was provided by Iva who was somewhat less critical of public perceptions, and recognised "a move forward" in recent years and larger support towards the legalisation of prostitution.

Some interviewees mentioned stigma and labelling that extend to the field of health. Nataša mentioned that those who offered services were believed to be:

> Below average as far as taking care of hygiene is concerned. They are believed to endanger themselves and their neighbourhood because of promiscuity and riskiness for sexual diseases.

Ula mentioned examples of prejudice among clients when they cannot understand that she can get sick from diseases other than sexual diseases. Or examples of clients who get a virus and they blame her for allegedly catching a sexual disease from her.

Several interviewees were critical of superficial perceptions of all sex workers as poor victims. Some had experiences of being treated as victims by certain assistance programs and are critical of these programs. They reported this as a disturbing situation that contributes to further marginalisation and stigmatisation of their personal situation, as well as of sex work in general, not to mention the denial of their own agency, including the strategies of coping with stigma (Koken, 2012), such as focusing on their own work as described by several of our interviewees.

Some respondents also mentioned lack of quality discussions in the media that tend to report about prostitution predominately in relation to criminal activities. As reflected by Zorka:

> Portrayals of prostitution on television always relate it to a shady business. This might be the case, but not always. If you are a prostitute without documents and under a pimp, this might be indeed a shady business. As far as I am concerned, nothing shady is related to what I do, I'm studying and working ... In some weird way the media try to uncover the shadiness of prostitution, and then they find one prostitute who was beaten and it then becomes the norm that people associate prostitution with women's suffering.

In relation to stigma and other problems our interview partners have encountered, they generally pointed to a need for organisations, initiatives and programs which would provide various forms of assistance. We will discuss their suggestions in the chapter on recommendations.

Concluding Remarks

In this chapter we have shown the different pathways into and within prostitution, together with reasons for engaging in sex work that are different for our respondents, dependent on their individual circumstances and experiences. Sex work is performed for economic reasons, to pay the bills and raise children, as well as to improve their financial situations, with a few interviewees saying that they would have liked to do something different and a few referring also to pleasure and adventure that they relate to their work. Regardless of the different pathways, we have found that all our interview partners perceive their work as legitimate, are critical of "double moralities" that shape public perceptions, point to problems of stigmatisation and they also revealed their coping strategies. These are largely related to their focus on the organisational part of their work, i.e. how to self- or co-organise work, to determine the desired working conditions, increase safety at work and to increase earnings.

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RELATIONSHIPS WITH CLIENTS: SEX WORKERS' NEGOTIATING STRATEGIES

Emanuela Fabijan

Introduction

An important step towards the understanding of the sex industry is also the analysis of clients who purchase sex services, as no industry could afford to offer a product or a service which does not have buyers (Popov, 2008, p. 197). There is a lack of a broad and longitudinal study on clients in Slovenia. One of the reasons could be connected to the difficulty for researchers to gain insight because sex workers, and clients in most cases, avoid exposure, which also indicates the stigmatisation of prostitution in Slovenia.

This chapter analyses the profiles of clients and their reasons for using sex services and discusses the relationship between sex workers and clients in Slovenia. The emphasis is on analysing the negative and positive aspects of their relationship and on presenting the strategies sex workers apply in order to cope with and prevent the risks at their work. The research is based on the narratives of interviewees who participated in our study. While we should not generalise based on these specific experiences to all sex workers, the findings of this study are good indicators of practices in the field of prostitution in Slovenia.

The Profile of Clients and their Motives for Using Sex Services

There is a lack of official empirical data regarding the number of clients in Slovenia (Pajnik, 2008, p. 121). Men represent the majority of clients, nevertheless on a smaller scale there are also women among clients, but the female demand is not as researched as the male demand (Pajnik, 2012, p. 112). The topics concerning clients using sex services are somewhat less researched than sex workers, intermediaries or the nature of relationships in prostitution. Based on the interviews with our respondents, we noticed the diversity of clients who use sex services. They differ in age, education, profession, income, marital status, urban or rural area of living etc. One interviewee stated the age of her clients ranged from 20 to 60, another said most of her clients were older than 40 and one mentioned they were mostly between 40 and 45 years of age. Some of our respondents' clients were married and had children, some were single. Munro

and Giusta (2008) claimed that a substantial body of evidence suggested that a very large proportion of clients of both female and male sex workers are married men, which can be attributed to a desire for changes and/or deficiencies regarding sexual activity within marriage.

The profession and education level also differs among clients, ranging from businessmen, computer engineers, mechanical engineers, freelancers with their own companies, police officers to labourers. Zorka for example mentioned the variety of clients regarding their profession and marital status:

> Married men come ... for example, very neat men who have companies, police officers, directors, bosses, ordinary people.

Neli similarly stated:

> I have from twenty to sixty [year old clients]. Their education [of clients] differs. I ask everyone: 'What do you do?' because I am interested. There are many computer engineers, who are mostly alone, probably single. Computer engineers and mechanical engineers. A lot of mechanical engineers or some freelancers, who have their own company. But there are also workers.

Katja said her knowledge of foreign languages enabled her to attract clients from abroad:

> (...) because I speak three foreign languages, Italian, Spanish, English and I have clients who come here only because of me, for example from Italy or Austria, because they do not want to do it there, so they cover up and come here.

Indeed, research findings confirm that clients may prefer sex workers who speak the clients' native language. The sex worker's sex, age, gender, nationality, as well as appearance and communication skills are important for clients as they often have an interest in a person rather than simply in the sex service itself. Katja mentioned the benefit of anonymity in cases when clients from Italy or Austria purchase her services. The reason for foreign clients buying services in Slovenia may be related to buying sex services in places where commercial sex is cheaper. This kind of demand is connected to sex tourism, where clients from wealthier countries travel across borders and purchase sex services, but an important factor is also protection of anonymity (Pajnik, 2012, p. 116).

The motives for using sex services also vary among clients. For some the decision for using sex services is related to the dissatisfaction regarding their sex life, others

lack the time for a personal life. Some are also seeking conversation and support. McKeganey and Barnard (in Di Nicola, Cauduro, Lombardi & Ruspini, 2009, p. 11) distinguished five main motives for buying sex services: the opportunity to approach a large number of women; the chance to have sex acts with women with specific characteristics; the element of thrill included in paying for sex; contact with prostitutes can be minimal and the opportunity to purchase particular sex acts. The stereotypical notion that a client is looking for commercial sex because of no access to sex in a relationship is not necessarily the prevalent reason. Many want a sex partner in a specific age group or require some specific body attributes or have a desire for sexual activity with a wider range of partners than may be otherwise possible (Hope Ditmore, 2006, p. 107). Katja said that some clients preferred purchasing sex services over having a mistress and getting emotionally attached:

> Clients themselves say they prefer this way to having a mistress and eventually falling in love, and then there would be scenes with their wives. So, we are not bounded up or obligated, neither I nor the client, we make an agreement, whether it is for an hour or half an hour or for a night, but afterwards we separate, I forget him, he forgets me and that is it.

Munro and Giusta (2008) similarly stated that using sex services may address or satisfy clients' needs without emotional complications, since the existing relationship may, in general, provide adequate companionship and emotional support.

Our interviewee Katja further explained the complexity of reasons for using sex services:

> (...) clients who are basically not oriented only towards sex but more towards a woman's company, a kind of warmth they cannot get elsewhere or because they are too business oriented, have too much work, they fly here and there by plane, visit countries. They cannot have a relationship because they do not have time. It is very mixed, some clients are men you would never imagine seeking sex services, everything is perfect in the family, he gets along well with his wife, the sex is also ok, children, but there is still something missing, and they look for something extra. Something extra or maybe they cannot act out all their sexual [desires] at home.

Katja stated that some clients looked for "something extra" or had a fetish, which they could not perform with their partners. Similarly, Zorka also mentioned fetish satisfaction as one of the reasons clients use sex services and stressed the different perceptions they had of a prostitute's and a wife's body:

> When a man encounters a prostitute's body, he has a feeling that there are no restraints. So, you can have anal sex with a prostitute, you can grab her any way you want, you can do all those things that you cannot do to the wife, because this is inappropriate for the wife, the wife can say no, there are some moral restraints there. But when he encounters a prostitute's body, he has a feeling that he can do things that he should not, things which are inappropriate, everything that is related to urine, shit, prostate. All the things they do not dare to say at home.

Relationships Between Sex Workers and Clients

From Respect to Friendship

The interviewees assessed most of their relationships with clients as good, which refers to the correct attitude of the clients and their following the rules regarding the service and payment. Neli mentioned the customers' respectful attitude:

> (...) the majority, they respect, there is respect. Customers respect [sex workers] as something normal. If someone likes you, well I did not go anywhere with anyone ... they invite you to places, I even got marriage proposals.

Naja described her positive experience with clients and the effects their compliments have had on her self-confidence:

> I have not even had difficult clients, it has been okay for me. For now, I am satisfied. Positive experiences [with clients], I have never received as many compliments as I have here, so this is quite good for my self-confidence.

The relationship between sex workers and clients is very important in terms of acquiring regular clients, which provide sex workers with safety at work and regular payment (Pajnik, 2008, p. 124). This is also evident in the case of Katja:

> You have to be a psychologist in this field, you have to read this man's mind so everything will be carried out in such a way that he will be satisfied, so that you get another client who will visit you regularly.

Regarding her relationship with clients, she stated:

> In general, I have had good experiences. Most of them are respectful and everything. 70% of my clients are civilised, they are gentlemen, and the other 30 are ... a bad experience and then never again.

Gaining regular and new clients is also very important to Ula, who implemented a special offer for attracting clients in order to increase her income. She explained her strategy:

> I have a special offer: you come twice, the third time you choose whatever [service] you want. A lot of them come twice in a row, and they come so many times, that the third time ... he gets it, even if everyone has one hour for free. Then I change, one time you have half an hour for free, another time you have one hour and sometimes you can choose whatever you want. When I get too many clients, then I reduce and put something else in the special offer. They come several times also because of this.

The relationship between sex workers and clients is of great significance for clients as well, as they return to sex workers whose company makes them feel good and to those who are devoted to them without rushing (Pajnik, 2008, p. 124). Our respondent Zorka said that clients appreciated personal treatment and disliked the "industrial" type of sex work:

> Men have ... I do not know where they found this term, but they really like the term industry. When they come to me, they say: 'It is important to me that it is not industrial.' I do not know what this means, whether that means not being like in a production line, but this means a lot to them. That you are warm to them, that they do not have the feeling that they are needless.

Iva has had similar experiences with clients who desire a more personal approach, human touch, relaxation and conversation. She stated:

> All those things that most people miss in today's information age. Anyway, we pass by each other and stare at our phones, we do not look each other anymore, there is no eye contact, let alone touch. People need this.

Ula also stressed the role of conversation in relationships with her clients:

> Most of my clients are older than 40. Many of them need conversation more than they need sex. He reaches an orgasm quickly and he wants to chat for another

> hour or drink coffee or something like that. They need attention, they want to cuddle, talk and just lie there. I generally have quite good clients, because I immediately note, I immediately arrange: 'you yes, you no'.

Some sex workers emphasised the importance of conversation for clients and claimed that most clients came in order to have a conversation and not intercourse. Certainly, there are cases when the main motivation for visiting sex worker(s) also encompasses a conversation, however, we cannot exclude that the reason for such an interpretation lies in the stigmatisation of prostitution.

Zorka assessed her relationship with clients as good and explained that she has never had negative experiences with clients because of her attitude, among other reasons:

> So far nobody has ever hurt me, nobody has done anything to me, I have never had any incidents, that someone was obsessed with me, that someone threatened me, really, as far as this is concerned, I have not had bad experiences. But this may also be because I am such a person.

She explained that her experiences with clients throughout the years have enabled her to make a strong filter among the clients:

> (...) but I have made a really strong filter. I have developed such feeling throughout these years, and every single year I am stricter, because in the beginning they tried to somehow ... you are still emotionally manipulated, now I tell him shortly: 'No. You are here to enjoy, I am your masseuse'.

Iva takes her relationship with the clients a step further and mentioned mutual satisfaction and friendship with clients. Sanders (2008) mentioned romantic courtship, mutual satisfaction, friendship, emotional connections and sexual satisfaction regarding the relationships that regular clients develop with sex workers over a period of time. When asked about her relationship with clients, Iva replied:

> Good, or I can even say great, because I establish a very personal connection with each of them.

When she was explaining her beginnings in sex work, she added:

> Shame? Am I ashamed? Not at all, because I do my job professionally and on a high level, and I do not have to be ashamed at all. Those who let a man humiliate

> them for nothing, those should be more ashamed. It is my pleasure [to do sex work]. Those who meet me are happy to meet me. There is mutual satisfaction, but I can say that many of them have stayed my friends. Friends, not just clients. And this says it all.

Addressing Negative Experiences with Clients

Although in the majority of cases the interviewees have had good experiences with clients, there are also cases of negative experiences, such as reducing the price, as in the case of Neli, who compared two types of clients, one wanting to lower the price and the other paying extra for her services:

> (...) but among clients there are also workers [who] do not have money and would like to make compensations. It is hard for them to give even that ... One client gave me an additional 20 euros so that we would have a nicer time together. If I see that there is not so much money then I am maybe a little more bitter, but if there is more money, then I am a bit happier, I am nicer, in a better mood. It is worth it. This is how it is.

Neli said that attempts to reduce the price of sex services were quite frequent and added:

> Some people call: 'Can we do it just for 40 euros?' They want to lower [the price], to take advantage and to take somebody for a fool.

Naja had similar experiences with clients in terms of refusing or reducing the payment and prolonging the arranged time of service for the same price. She and her co-workers do not negotiate the price and do not let themselves be manipulated by clients, which is evident from her narrative:

> You tell him the price, and then he comes in and wants to lower the price, saying: 'Come on, come on'. We do not fall for this. They would like the same amount of time, maybe even more, and they want to pay less. The problem is also that some come and say they forgot their wallet in the car and that they will pay after we finish. We do not do this because we already know from the older girls that ... [these clients would not pay].

Our respondents also mentioned other cases of negative experiences, such as: physical or psychological harassment, negative evaluation on web portal forums, coerced sex (for example, demands for services without using a condom), persuading sex workers into performance of services that sex workers do not offer, degrading attitudes and intoxicated clients. Katja, who has been working in prostitution for five years with breaks in between, described almost all of the mentioned cases:

> I like it the least when there is a humiliating attitude, some still say directly: 'whore, prostitute.' [Or] they want to force me to do something. I do not like the fact that they want to lower the price [or their] disrespect for time. Many pay for half an hour and they want to prolong to an hour, an hour and a half, because they think: 'It does not matter, you do not have a client anyway, we will do it again, we will talk a bit more.' I do not like the fact that someone wants to take drugs and then have sex with me ... or maybe alcohol.

Among the negative experiences with clients there have also been cases of psychological and physical violence. Two of our respondents mentioned that they had experienced physical violence while working in this field. In general, the level of violence is reported to be considerably higher for those sex workers who work on the streets than for those who work indoors. According to one research, women working on the streets were facing up to six times the level of violence than those working indoors (Church in Matthews, 2008, p. 46). The findings of our research have shown that violence is most often left unreported. Many sex workers think that their reports will not be taken seriously or do not report it because of their own quasi-legal status (Matthews, 2008, p. 47), which is also the case in the experiences of our respondents. Some sex workers are also reluctant to report violence due to the negative experiences they have had with the police or in order not to burden their families. The ones who have children are concerned with the effects revealing their work would have on their children. Ula, who described such experiences and uses a camera for safety reasons, said:

> (...) the guys throw you on the bed, like one guy did to me, he raped me, blackmailed me, he recorded me and sent it to someone else. If anything happens to him, he will tell that person: 'Post it on Facebook.' And if people see me ... I do not care if my man sees me, but if my children see me they will be affected by this. I prefer to stay quiet and endure instead of reporting him. But I have the recordings in any case. If the police break in and say: 'Is this true?' I have proof. If not, you have nothing.

Strategies of Addressing and Preventing Risks

From Co-working and Advice from Experienced Sex Workers to Setting Rules and Limits

Our interviewees have adopted different strategies of coping with potential risks at work. One of the strategies regarding the prevention of violence and other negative experiences at work includes working with co-workers. Three of the sex workers who participated in our research work alone, three work in groups with several co-workers, two work in an erotic massage parlour and one works mostly alone and only occasionally with a co-worker. Our interviewees said communal organisation increased their feeling of safety. As they stated, even if a negative experience occurred, other co-workers would engage in helping to solve the situation. During telephone conversations with clients they always mention the presence of colleagues. As Naja explained:

> We let the customers know, because they often ask you over the phone: 'Are you alone in the apartment?' Which is sometimes a little suspicious to me. We say that it is discreet, but that there is also a colleague there, so we always let them know that somebody else is there. Personally, I would feel uncomfortable if I were alone, I would be afraid to work alone because you never know who will come. We work only till 8 p.m., there are no drunk men, violent men [by this hour].

There are cases when older and more experienced sex workers who have been working in this field for many years advise younger sex workers on manners of risk prevention and of avoiding negative experiences, on taking care of safety and protection while dealing with clients. Naja described her appreciation for the advice she was given by more experienced colleagues:

> (...) but what was helpful here are two [co-workers], one is 52 years old, the other is a little over 40. I have learned a lot from them and I think that only because of this I have avoided some [negative] cases. I have not had any bullies, maybe because they told me: 'If he is arrogant, if he sets conditions, it is better to turn him away. Do not get involved. Do not be so greedy for money. The next one will come, so it does not make sense.' I think they have both been [in the business] for more than 10 years.

Iva is an experienced sex worker who has been working in this field for ten years. She emphasised that she would be willing to assist younger colleagues:

> I wanted to have more girls on [my] website. To work together, to help them see how to handle things. I would like to help these girls who decide to enter this business, so they do it as professionals, so that they would be able to do this with pleasure, because it would be a pleasure for them. Just like it is for me. To find women who have the same opinion, who do not look at this business negatively, but view it as some kind of a hobby, and who would look at it solely as a profession. Like any other business.

Another strategy of coping with risks at work, which some of our respondents mentioned, is setting exact limits and rules for clients and determination throughout the implementation of instructions. The experiences of a certain sex worker with the clients also, in some ways, depend on the sex worker herself, for example, what limits and rules she sets for the clients, what kind of a filter she makes during telephone conversations before the meeting and what kind of an ad she has. This all confirms the importance of the organisational planning of work that we already highlighted in the previous chapter. The interviewees, who accurately determine their boundaries and are consistent in doing so, say they have had no experience with violent clients and no serious negative experiences with their clients. Zorka emphasised the importance of the kinds of ads a sex worker places, for example, she publishes ads with a more demanding text and less revealing photos and is very determined regarding the limits and rules she wants her clients to follow:

> My profile is not vulgar. I make a filter through the kind of pictures I post, the kind of words I use, the kind of text I have, I am really strict on the phone; I say everything very precisely. I immediately tell them what I offer, and if they have different expectations, I tell them I would rather they go elsewhere, because they will certainly be disappointed with me. And here I have already created such a filter that I have no problems with the men who ultimately come to me.

The experiences of sex workers, who have been working in this field for several years, enable them to form a decisive attitude, develop self-confidence and strong preventing strategies in order to avoid risks at work. Iva has similar views to Zorka and she pointed out the importance of boundaries and knowing your self-worth:

> These girls on Sloescort have their own forum where they write and exchange experiences, and the things you can read there ... I could not believe it, I said: "The things they allow!", but even if you tell them and say: 'Look, [they will do what you allow].' But they cannot understand this, they cannot.

Iva said she has not had any serious negative experiences regarding her work and also emphasised the importance of informing the clients of the rules regarding what is and is not allowed already in the telephone conversation:

> No, not me. I have never [experienced violence, roughness], touchwood. I have not come across anyone who would do anything bad to me, who would insult me or whatever. But you discuss this in advance. The girls themselves are also responsible for this. Here the girl automatically shows already over the phone how much she will allow.

The Importance of Sharing Information, Raising Prices, Video Surveillance and Protecting Privacy

One of the practices of addressing and preventing risks, which some of our respondents apply, involves sharing phone numbers and other information about clients and experiences with them through web portals. Some do not accept younger-aged clients because many interviewees have had negative experiences. Some of them claim to have made a selection of clients by setting a higher price for their services, although a higher price does not represent a guarantee for safety. This is also evident in the case of Katja:

> I have made a selection by letting them know that I do not accept young [clients]. I have raised the price because I expect gentlemen to come to me and not someone who has five minutes to spare. They are satisfied, and I have basically already made my circle of clients, and I have regular clients, and I am satisfied. I must say that I have quite a good situation compared to what I hear from other girls.

Iva also mentioned the importance of setting higher prices in order to avoid risks:

> They [sex workers] let themselves be led by the market and, considering the low salaries, they reduce their prices and so on. Anyone can visit her because she has such a low fee. Then problems arise, the less he pays, the more he feels he can demand, and because of this the girls are also in greater danger. The lower she sets the price, the more the client will demand and feel he can do, including roughness, humiliation and so on. The higher [the price] is, the more respect the client will have towards the girl, woman. He will not do certain things.

Ula who works alone in her rented apartment has a dog and a camera, which give her a greater sense of safety. She addresses risks in this way:

> I make notes regarding the time, the dates, everything. I write down 'no' or 'idiot' so that I do not accept him, so that I already know who is calling based on [phone] numbers. You make an approximate record, but they call from different numbers. I already recognise them by their voice. I have a dog for safety. It is a very good thing that I have a direct view of the entrance. If the dog sees him and barks, I say: 'Look, unfortunately I do not like you', so it is over. In my opinion, out of all women, I am the only one who has a camera. It makes video and audio recordings. When the light [in the kitchen] is on, it captures all the way to the bed, it can instantly record anyone who comes in.

The interviewees are cautious regarding the protection of their privacy. Two of them work only in hotels and/or rented rooms because of security reasons as well. They highlighted the advantages of video surveillance and the registration of guests; consequently, the clients do not have the information about the address of their residence or the address of the apartment used for sex work. Katja also pointed out she was cautious in terms of leaving any traces behind, and she solely uses taxis when she goes to the location to meet the client:

> I prefer to work in hotels. I know that when I get there, the camera will record me, the guest is registered. If anything happens, people will know. [One time] they came to my [apartment] door at three o'clock in the morning. Fear. I was alone in the apartment. I prefer hotels or rooms that you can rent for an hour or two as well as these rest-homes that also exist. There are 'high class' hotels as well. [I use] taxis. No registration plates, no car, no tracks are left behind me. I never tell clients about my life, where I am from, who I am, what I am, because I do not trust anyone.

Concluding Remarks

Our research placed the voices of the sex workers at the forefront, and our goal in this chapter was to gain their perspective on the clients. The findings from the interviews point to the diversity of clients who use sex services and the complexity of reasons for using them. There were also cases of sex tourism, when customers from Italy and Austria purchased sex services in Slovenia. The experiences our respondents who offer sexual services had with clients varied. On the one hand, there have been cases of professional relations, respectful attitudes, mutual satisfaction and even friendship. On the other hand, we discussed cases of price reduction, prolonging the arranged time of service, persuading sex workers into performance of certain services, degrading

attitudes and psychological and physical violence by the clients. However, two of our respondents have experienced physical violence while working in this field, which does not mean that the scale of exploitation regarding prostitution in Slovenia is generally small, but it means that not all sex workers are forced or abused, nor are all free from constraints. Like any other work, prostitution is characterised by a variety of forms, working conditions and possibilities for agency, negotiation and resistance (Peršak & Vermeulen, 2014, p. 13). In order to cope with the risks regarding violence and other negative experiences at work, sex workers implement several strategies, which increase their feeling of safety and/or privacy.

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RELATIONSHIPS WITH INTERMEDIARIES: SUPPORT OR EXPLOITATION?

Mojca Frelih

Introduction

Who are those engaged in the organisation of prostitution, the so-called pimps? What are their profiles? What is their role in practice? How much money do they request from sex workers? What do they offer in exchange for their services (protection, security, clients, a place to work)? There are many different questions that need to be answered when researching the organisation and role of pimps, but not much information can be provided in simplified answers. The fact is that the answers depend on contexts such as legal framework and specificities of prostitution markets, although some similarities can also be found across the different contexts. O'Connel-Davidson (1998) suggested that research in pimping would benefit most when the contexts and practices of pimping would be prioritised. Donna M. Huges broadly defines a pimp as:

> A person who offers and is profited from the sale and/or abuse of another person's sexuality or sexuality for sexual purposes or the production and/or sale of footage by that person and is a trafficker, pornographer, manager or owner of a brothel, a third-party manager, director for talents, mamasan (Japan), agent of a bridesmaid by post or an agent for the organization of sexual tourism (Huges in Popov, 2008, p. 184).

In previous research in Slovenia it was confirmed that "pimps", "organisers", "brokers" or "intermediaries", as they are differently referred to both in research and practice, are both men and women. They were often referred to as "bosses" or "madams" by sex workers. In some cases, several people can act as organisers, for example, a man and a woman in partnership or relatives. Pimping may also include a bigger network (Pajnik, 2008, p. 118). However, no reliable data exists in Slovenia about the extent of pimping, while its pathways have been reflected in some previous research (Pajnik, 2008; Pajnik & Kavčič, 2009).

This chapter provides insight into the different themes related to the organisation and role of pimps in sex work, focusing on field research among sex workers in Slovenia. Pimping as a criminal offence is explored as well as pimps in the roles of

clients, partners and club owners. Further, the diversity of relationships between pimps and sex workers and pimp-related control and violence are also analysed.

Pimping as a Criminal Offence

Worldwide pimping is considered a criminal offence when it is related to exploitation or deception and similar circumstances. Kennedy, Klein, Bristowe, Cooper & Yuille (2007) presented a study in which they described some of the main techniques that pimps use to recruit children and women into the sex trade, including the pretence of love, threats of indebtedness, drug addiction, manipulation and violence. Police investigations and legal cases often concentrate on these practices in order to define exploitation in pimping, which was also confirmed in our study.

After decriminalisation in Slovenia in 2003, the two Criminal Code articles on procurement (*zvodništvo*) and mediation of prostitution (*posredovanje pri prostituciji*) were joined into a single article on "abuse of prostitution" (*zloraba prostitucije*). In the Slovenian legislative framework pimping is not directly mentioned but has since been associated with the article on "abuse of prostitution" (Criminal Code, Article 175) which penalises with imprisonment participation in prostitution for exploitation of another person. This article is used to press charges against people who are involved in exploitation through prostitution, which can be related to pimping. In addition, Article 113 of the Criminal Code on trafficking in human beings penalises trafficking (in accordance with the definition from the Palermo Protocol), where the definition lists exploitation of prostitution together with other forms of sexual abuse, forced labour, slavery and trafficking in human organs. Pimping is here related to different forms of abuse, force, exploitation, regardless of the consent of the exploited person.

Despite the fact that pimping is usually criminalised, Popov (2008) claimed that pimps were rarely prosecuted. Very few pimps end up in court, even fewer are convicted, and almost no one is sentenced to a serious prison penalty. There are many reasons for such a situation. The first obstacle lies in the fact that it is extremely hard to find out who really acts as a pimp and to collect convincing evidence. Our field work has shown that sex workers are reluctant to turn in violent pimps and to assist the police in obtaining hard evidence for prosecution, and they are not eager to testify in court. This is partly related to lack of trust in the police, as discussed in the chapter on the relationships between sex workers and the police. As explained by specialised state prosecutor Jože Levašič, since the establishment of the Specialised State Prosecutor's Office (*specializirano državno tožilstvo*) in 2011, which is exclusively responsible for the prosecution of crime related to human trafficking (Article 113), including abuse of prostitution (Article 175) when related to trafficking, prosecution of such exploitation

in Slovenia has been on the rise. The expert interviewee referred to cases of exploitative pimping that are often related to both human trafficking and abuse of prostitution.

Police practice with pimps has been changing according to their experiences in the field. The police follow certain investigation standards and indicators based on which they attempt to identify vulnerable groups or victims of exploitative pimping-related crimes. As explained by the senior criminal police inspector specialist Damijan Roškarič from the General Police Directorate, they are trying to improve standards by organising annual trainings together with the Specialised State Prosecutor's Office and non-governmental organisations:

> At these training courses, criminalists and specialists working in the fields of investigating crimes of human trafficking and abuse of prostitution share the experiences they have obtained during past investigations. Based on this, we have created uniform standards on how an investigation should be conducted, standards of victim identification, and the crime of prostitution abuse.

Police procedures vary from case to case. Damijan Roškarič explained the current legislation and the role of the police in cases of pimping in Slovenia:

> The Code of Criminal Procedure in Slovenia is clear. When police detect that somebody is suspected of this criminal offense, detention procedures begin with urgent investigative actions, from the hearing and the pre-trial procedure to the hearing of the investigating judge. Further criminal proceedings follow.

The police are proactive in identifying pimps and exploring the criminal offenses (see chapter on police), including a whole range of police activities: from the classical gathering of information to the implementation of disguised investigative measures. Undercover police work may be included in some stages as well.

Pimps as Partners, Clients, Club Owners

Literature indicates that pimps have very different approaches with respect to how and in what way they enter into this work and what they offer, but their common interest is earning money. Pimps are commonly represented in popular culture as hyper-masculine and pimping as a ubiquitous part of sex work. The paths of how pimps enter the field of prostitution are various, but "a prevalent theme is the complex development of the male role among sex workers, starting as male clients, becoming intimate partners, and ending as their coercive pimps" (Karandikar & Próspero, 2010). Sex workers' intimate partners turn into their pimps who claim to "manage" their business. In their

research, Karandikar and Próspero (2010) showed that an intimate partner becoming a pimp was recognised in five out of nine sex workers. Literature also reports that in cases where the pimp organises the work of one or two women, sex workers are likely to consider themselves in love and define their involvement with their pimp as a relationship (Williamson & Cluse-Tolar, 2002, pp. 1083-1084).

Previous case law analysis in Slovenia has shown that the accused pimps often exploited their own relatives, and there were even cases involving a husband and wife, an aunt and niece, with the husband and the aunt organising the work and setting the routines (Pajnik & Kavčič, 2008). Further, the analysed data showed that most of the defendants were born in Slovenia and that more than a third stated that they had no employment and lived only from the support of social services or parents. Previous case laws have revealed that the defendants were owners of night clubs and massage parlours, worked as marriage brokers and provided taxi services. In most of the cases they denied committing any criminal offense and some commented they only helped girls in prostitution (Pajnik & Kavčič, 2008, p. 149). Our expert interviewee Roškarič confirmed that police investigations have similarly shown that the vast majority of pimps are citizens of the Republic of Slovenia who legalise their activities through various economic activities, such as night clubs, catering services massage parlours and so on.

Most often, as confirmed by the sex workers we interviewed, clients act as pimps. Naja told us about such an experience with a client who afterwards turned out to be a pimp, and she had received the offer to work in pimp-related prostitution from a taxi driver who was acting as a pimp. Ula and Zorka had similar experiences – they received offers for work from several clients that turned out to be pimps. The clients/pimps were very polite, some even offering friendship or partnership.

Zorka commented that pimps as clients sometimes came with flowers or chocolate saying "I will treat you well, I will bring clients". Iva experienced pimps calling her several times on her mobile phone trying to persuade her to work for them. She talked about the experience when two clients, as she said, wanted "to take control over her". She explained how she made fun of them:

> They said that they would bring me clients and offer security and so forth. ... And I said, if you want to be a good manager as you claim, you will be able to bring clients who will be willing to pay more than I charge for the service I offer. If you are a good manager, you will bring clients who will pay 500 euros. If you can't do this then you will not take 50% of my earnings. They understood that I set clear limits.

Iva claimed that those two clients-pimps approached her again. According to her, they realised she could become a threat and might empower other sex workers and stimulate them to work on their own.

Katja similarly mentioned that clients/pimps have approached her, but she has stuck with her desire to work alone:

> I have worked mostly for myself, alone – because I give all of myself, and I don't want anyone to earn money on my behalf. They tried to blackmail me, and I don't know what else. I advertise my work on the Sloescort website, like most girls, and the pimps just came to me, first as clients, and then offered me, I don't know what: from cars to many other things. But I have enough 'in my head' to know that this does not have to be so. After four years of experience, I already know who is in front of me when he comes. Otherwise, I work on my own.

Ula offered an interesting reflection on the diversity of pimp profiles according to her experiences:

> The most important thing for them is that they are not visible or known to the public. All the ones I know are tattooed. Some introduced themselves to be healers. Some introduced themselves to be doctors. I already had that too. Some introduced themselves to be cops, spies – everything is possible.

Sex Workers' Reflections on the Role of Pimps

Sex workers' experiences with pimps vary – from extremely negative to some positive examples. The results from previous research in Slovenia (Pajnik, 2008, p. 120) show that women who work independently estimate that: "... the relationship between a pimp and a prostitute is, as a rule, an exploiter/exploited relationship." They mentioned pressure exerted by pimps, particularly when a woman does not work. Besides, the sex workers interviewed in 2006-2007 interpreted pimps' work as:

> ... taking care of prostitutes' and clients' safety. Some respondents thought that many brokers do not do much work in practice, but women who actually work alone still give them part of their earnings. Arrangements vary. Some give away half of the sum they earn, others give more, even up to 80 percent, still others give less, say, forty percent (Pajnik, 2008, p. 119).

In our research, Iva similarly commented that the standards of sex work in Slovenia are extremely low due to the pimps:

> I think it's more about the pimping itself, not because girls don't want to work on a higher level, but because pimps prevent them from doing so – because they don't allow them to think with their own heads.

She problematised the adaptation to pimps' strategies in the sense that they do not offer a price for their services based on the quality of service, but based on the power they exercise over sex workers. She claimed:

> The less they pay you, the more they think they can do to you, and thus the girls are also at greater risk. Because the girls have to pay percentages of their earnings to their pimps, they are forced to accept everyone [as a client] because the pimps force them to do so.

Most commonly, sex workers view pimps as exploiters of their work, but one of our interviewees reported some positive experiences. Neli has been working with a pimp who, as she says, offers protection, is friendly, isn't rude, doesn't exploit her and takes a reasonable amount of her earnings (she says that is between 20% and 30%):

> I do not have bad experiences here, this person is so ... so fine, taking very little ... he is not rude or violent. I don't know, he's so friendly. Not everyone has been. There were also those who blackmailed me, took too much money, exploited me.

Neli used the words "boss" and "this person" rather than pimp to describe the person who organises her work because the term pimp carries a negative connotation. She made a comparison with her previous job as an erotic masseuse where the employer took the majority of what she earned. Her current pimp lets her and her co-workers use the flat he rents. She said that he had no influence on their working hours or the number of clients per day or anything related to their work. She feels free to work in the flat he rents. Neli appreciates that he is never violent and that he never makes threats.

Naja has had a different experience: she works together in a flat with other sex workers, and an elderly woman is taking care of renting the place and the payment of other living costs in the flat. Naja said that this elderly woman is not a pimp since she is not taking any percentage of their earnings, but she is more like a leader or a mentor.

> Our colleague who is the oldest among us, she rented the flat in her name. When we collect money for the rent and other expenses, we give the money to her. But

she doesn't profit; she doesn't take percentages; we calculate and divide the costs equally. We could say that she is a leader, that's what I would call her. She guides us, teaches us.

Pimp-Related Control and Violence

Research reports that pimps are suspicious of sex workers' motives and often deny them decision-making power and profit sharing – processes that highlight how work practices can structure gender identity construction (Besbris, 2016). In their research, Williamson and Cluse-Tolar (2002) found that pimps are typically described by sex workers as having several women working for them simultaneously, a situation described as "stable" for the pimps. In this type of situation, the pimp appears to have sexual access to the women who work for him, and physical violence is frequently used to maintain power and control. Within our research in Slovenia, no interviewee reported having such a relationship, although some confirmed instances when they themselves or their colleagues experienced violence, or were threatened that their occupation would be revealed to their families. Extortion, psychological and physical violence to give the pimps some of their income have also been reported by our interviewees.

Ula mentioned that among the main problems she faces in sex work are encounters with aggressive clients and violent pimps:

> ... the fight with the aggressive clients or violent pimps, several don't say that they're pimps ... Or [I have bad experiences] with some young people who try to take money from a woman. I had one who said that he lost his money and, in the end, he demanded money from me, 100 euros. And now, if you get scared, you give him the money ... This is how he earns money. They blackmail you. And if you let them, they take money from you. Or you can fight back as I did, I threatened back. It's a constant fight.

Literature shows that physical and sexual violence against sex workers is perpetrated by pimps, partners, clients, and police officers (Dalla & Kennedy, 2003). Sanders (2004) similarly reported that sex workers in Britain are constantly at risk of being abused by pimps, clients, dealers and the police. While experiencing violence, sex workers use a private 'women only' space in a van (a mobile unit for sex worker's use) as their safe haven. On several occasions, women have come into refuge after pimps, clients, or dealers attacked them. Also, other researchers have reported on the various forms of violence – from physical violence, with and without weapons, to sexual assault. A case study in Chicago examined the violence trafficked women experienced

from their pimps, and 71 out of 100 reported violent incidents with pimps (Raphael, Reichert & Powers, 2010).

In our sample some respondents had experiences with pimps, while all were familiar with the negative experiences of other colleagues. They reported that pimps were most often violent towards younger sex workers; they said young women were more prone to economic exploitation because pimps take high percentages of their earnings. They also reported of cases where pimps facilitated sex workers' drug use. Lea reported of restricted freedom of movement when she isn't allowed to leave the flat and has to wait for clients in case they arrive. Katja spoke about the experiences of her colleagues:

> I worked with several girls. Mostly they were good but, there were some I feel very sorry for, it was psychologically demanding for them ... and they ended up using drugs or some pills, or they needed to be drunk or stoned to be able to work. These cases often result in a woman only working for the pimp, or for drugs and drinks. Several times the pimp himself provides drugs for you and he has power over you so that you can't do anything. I know two young women, one is 18 and the other 25. I don't know how they can get out of this, drugs cost money ...

She reflected further on the peculiarities of abusive situations and ways to overcome them:

> So you have to be very strong if you work in this field. You have to be very strong, you must not allow anyone to come and dominate, to rule over you, which means to take your money, because then it comes to violence. They [pimps] determine how much you have to earn, but this does not depend only on us. There can be days when no one calls, but there can be days when there are 100 calls. It's quite different. Now, if you work for someone, he expects I don't know: 'Today you have to make me 500 euros' and then it happens that if a girl does not do this, she has to give so much from her pocket if she has some savings. Because if they don't, then the threats follow – especially if they have children, family.

Concluding Remarks

Our research has shown that the role of pimps in Slovenia is not much different than elsewhere. They tend to be polite, gentle, often posing as clients, proposing different share earning percentages, and often rent or are the owners of the flats where they are supposed to take care of safety, etc. Incidents of violence do occur and include physical

violence, threats, deception and economic exploitation, as confirmed by sex workers from our sample. Our interviewees mostly reported negative experiences with pimps, whether their own experiences or of their colleagues. We have also found instances when a sex worker does not feel exploited by the pimp and is rather protective when describing his role. However, in general, we have observed that sex workers from our sample prefer to organise work on their own or together with other colleagues where their roles as sex workers and organisers of work are shifting.

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RELATIONSHIPS WITH THE POLICE: BETWEEN PROTECTION AND ABUSE

Mojca Frelih

Introduction

The role of the police in relation to prostitution is often seen in a unidimensional perspective, in the role of prosecutors, although it is much more complex than that. From the human rights perspective, the police are supposed to protect sex workers and investigate situations when clients become violent or in cases of rape or sexual harassment, or when sex workers are robbed or are victims of trafficking in human beings. The work of the police within the prostitution field in Slovenia is challenging due to the fact that, despite decriminalisation, sex workers are reluctant to report crimes or cooperate with the police, often for fear of being engaged in non-regulated forms of work. Consequently, it is difficult for the police to obtain hard evidence for various crimes related to abuse in prostitution, which hinders prosecution. A further challenge is the structure of the police force and its different approaches of operating in the field of prostitution. It is very important to develop equal standards of police work, to address the existing differences among the police staff with the purpose of contributing to the safety of sex workers and to the protection of their rights.

In this chapter the emphasis is put on police work within the prostitution field in Slovenia, the diversity of sex workers' experiences with the police and their coping strategies. In our sample, only a few sex workers had experiences with the police, and we analysed the complexity of their encounters. Further, we will discuss the role of the police (protection vs. abuse) and the importance of cooperation among the police, other agencies, organisations (governmental and non-governmental) and sex workers themselves. The chapter includes references to international studies on this topic that are reflected in the Slovenian context.

Police Work

There is a lack of research in the field of prostitution in Slovenia, let alone on police activity in cases of prostitution. The decriminalisation policy framework certainly had an impact on police practices. According to the data on case-law, county courts across the country (Ljubljana, Maribor, Koper, Novo mesto) have had no legal cases related to prostitution as indecent behaviour in the period 2015-2016. As a consequence of decriminalisation, despite the fact that the Protection of Public Order Act has kept the

article on "indecent behaviour" (Article 7), the police generally do not intervene in the consensual prostitution of adults. Rather, the police are more focused on investigating abuse in prostitution.

The police nowadays have to find various paths and develop approaches to gather data related to exploitation in prostitution because prostitution is usually a hidden and marginalised phenomenon, developed in a complex industry with several sectors marked by specific ways of operating. As research in the USA showed, in some cases they used female police officers as decoy sex workers to enter the field which resulted in an increase of legal cases of abuse based on police work (Maguire & Nolan, 2011). The police in Slovenia, as explained by senior criminal police inspector specialist Damijan Roškarič from the General Police Directorate of the Republic of Slovenia, have also developed various strategies to explore exploitation, including undercover operations.

In general, Roškarič emphasised that their work was evolving in the direction of protecting sex workers when they find themselves in abusive situations:

> The current arrangement aims primarily at protecting people who are engaged in prostitution, even though prostitution is unregulated. This means protecting victims and prosecuting those who exploit people in prostitution.

Roškarič mentioned that police management put a lot of effort into the development of various standards within police work. This usually means that certain indicators exist, on the basis of which they try to identify vulnerable groups or victims of crimes related to prostitution. Police experts are raising these standards through their annual educational trainings for police staff (including the criminalists and police officers) that are organised together with the Specialised State Prosecutor's Office and a few non-governmental organisations in Slovenia. Additionally, Roškarič confirmed:

> Police activities related to sex workers as victims are directed to their benefit or to protect the victim. When the police find that someone is a victim of trafficking in human beings, we have certain protocols or standards that police officers have to react or act upon.

Police activities in Slovenia thus visibly focus on detecting exploitation in prostitution, especially when related to human trafficking, and they leave aside consensual sex work. As explained by Roškarič:

> The police are practically not involved with people who are active in prostitution. The police try to be proactive in searching for cases of abuse in prostitution or human trafficking and in identifying potential victims.

This mirrors the general legal framework that prioritises prosecution of abuse in prostitution and it also reflects the somewhat blurred distinctions between the abuse of prostitution and human trafficking in policy framework (see chapter on policies in Slovenia). What the police would benefit from are trainings that would not only focus on detecting vulnerability but would also address sex worker's rights, complexities of sex work and its recognition in non-exploitative circumstances (i.e. not all prostitution is exploitation). The police cooperate with NGOs that work on anti-trafficking and anti-violence agenda; however, no direct cooperation has developed between the police and sex workers. There are also positive examples of collaboration around the globe, like in New Zealand, where sex workers self-organised and established very good cooperation with the police. The New Zealand Prostitutes' Collective (NZPC) is a unique example of a sex workers' rights organisation that is an important actor in prostitution policy, also aiming at developing good relations with the police (Radačić, 2017).

Experiences of Sex Workers with the Police

We focused on analysing the experiences of sex workers with the police and found that they included diverse encounters, resulting in fear for some and a relationship of trust for others. Most of the existing research in this field has focused on female sex workers and some findings have indicated that sex workers have experienced violence, coercion, theft, bribery, and rape by police (Farley & Barkan, 1998; Kempadoo & Doezema, 1998; Miller, 2002).

The literature, for example, discusses interactions between female sex workers and the police in relation to HIV risk. In India the data collected in the context of HIV prevention on a large sample of sex workers indicated the association of female sex workers' reports of negative police interactions and HIV risky behaviours. Results showed that female sex workers who had had more than one negative police interaction were more likely to contract STIs, inconsistently use condoms with their clients and accept more money for condomless sex (Erausquin, Reed & Blankenship, 2015). In a study conducted in Baltimore, USA in 2012, female sex workers discussed their interactions with the police in their personal and professional lives. Women reported experiences of police verbal harassment, sexual exploitation, extortion and a lack of police responsiveness to 911 calls in emergencies, largely involving partner violence. Women's mistrust of the police was often developed at an early age and was further reinforced by interactions in their personal and professional lives (Shermana et al., 2015). These studies mainly stressed the negative effect encounters between police and sex workers might have had on their lives.

Analysis of another research (Williamson, Baker, Jenkins & Cluse-Tolar, 2007) revealed that officers, while involved in duties of law enforcement, behave in a number of ways when interacting with sex workers, some of which are beyond the appropriate use of police "discretion." Findings revealed six types of police-prostitute interactions: nice cops, non-responsive officers, police officers as protectors, police officers as perpetrators, cops as paying customers and fringe benefit cops (Williamson et al., 2007).

Our interviewees talked about their previous experiences with the police only in a few cases. Still, experiences, although limited in scope, point to some similar observations detected by the mentioned studies. Several of the above-mentioned types of police officers are likely to exist in Slovenia as well; our interviewees mentioned prejudiced officers, non-responsive policemen, including clients among policemen.

One of the reasons for limited experiences with the police is related to the decriminalisation of selling sexual services, which redirected the police's attention to focus only on abuse in prostitution. Indeed, Iva commented that one of the reasons for not having any experiences with the police might go along with the fact that prostitution was decriminalised even before she began to work in this sector. Other reasons might be that some of our interviewees started to work in prostitution only recently. One interviewee (Ula) mentioned that police officer harassed her, asking for sexual services. She also mentioned encounters with the police while she had been living with a violent husband. According to her, the police did not come on time and protect her from abuse while her husband was beating her up in front of her daughter.

Zorka reported about the concern among some sex workers and her own prediction that if she were to be raped and if she were to report it, the police officers would probably not take her seriously. She assumes that the police officer might say: "you wanted it", and stressed that offering sex as a service doesn't mean that sex workers don't have a right to say "no" at a certain stage of the activity.

Current police work seems to include examples of both negative and positive practices. Examples of negative police practice include the degrading attitude towards sex workers by some police officers and not reacting to calls for help. There are several ideas as to what might have caused the negative practices of police work in this field and what could contribute to the establishment of trusting relationships. One of the interviewees (Katja) suggested better cooperation between police officers and sex workers and including more female police officers in the field of prostitution:

> For example, police should know the addresses of those who work in apartments, just in case something happens, the police can be there right away ... Well, and I think that more women, female police officers should work on this, not men.

Abuse and Lack of Protection

The research reports indicated that abuse against sex workers by the police is widespread. The Sex Workers' Rights Advocacy Network (SWAN) 2015 report includes 15 incidents of police violence reported by sex workers in Albania, Bosnia and Herzegovina, Macedonia, Romania, Russia, Serbia, Turkey and the Ukraine. Only one incident of sexual violence by the police was reported to the police in the same time frame. None of the cases resulted in a court trial. However, in the Ukraine, a sex worker's formal complaint against a police officer for physical and sexual violence resulted in the offending officer being fired although criminal charges were not laid (SWAN, 2015).

Other research confirmed that female sex workers in Russia are very vulnerable to abuse from the police, including police sexual coercion. The field research study that focused on the prevalence of police sexual coercion among female sex workers from two Russian cities, St. Petersburg and Orenburg, confirmed correlations between alcohol use among sex workers, selling sex on the street and rape during sex work with police sexual coercion. The authors pointed to the need for structural interventions addressing police violence against female sex workers to improve the health and safety of this population (Odinokova, Rusakovaa, Uradac, Silvermanc & Rajc, 2014). Nichols (2010) reported on specific police abuses against transgender sex workers in Sri Lanka, focusing on intersections of gender and sexual orientation. Findings indicated that they experienced victimisation by police, simultaneously targeting their feminine gender expression and homosexuality. These abuses included verbal, physical, and sexual abuse as well as inequality in the police response to both their victimisation and criminality.

Further, literature has indicated that sex workers are victims of violence by their clients, which is one of the examples when they do seek police support and protection. This is most pronounced in cases of female street prostitution globally, where there is a high incidence of violence perpetrated against women by men who approach them as clients (see chapter on clients). Sanders (2001) published empirical findings on physical and sexual violence against female street-based sex workers in a city in the South West of England. Special emphasis was put on violence from pimps and clients as well as exploring how the street environment exposes sex workers to risk. When analysing these findings it appears that there are strong possibilities that if a sex worker conducts business on the street at some point in her working career, a client will sexually and physically attack her. In this study, of the 75% women who had experienced assaults by clients, only 28% of them had reported the incident to the police.

As no similar research analysing police practices in relationships with sex workers in Slovenia exists, experiences from international research presented above could be

used to identify potential problems and advance police work in the Slovenian context. Also, these findings could stimulate similar research in the Slovenian context that would help in identifying the needs of sex workers.

What has been shown in our research is that even though the current police policy aims at protecting sex workers, this is not always translated into practice. When Katja sought police protection in the past, she had various bad experiences with the police and she talked about it on different occasions during the interview. She mentioned the non-professional behaviour of the police:

> We are not protected by the police. If something happens, we are treated as though we are guilty.

She also reported she was raped and robbed by a client. He beat her up and took all her money and belongings. She explained that the police officer didn't take her seriously after she had told she worked as a sex worker. According to her, the police wanted to gain information on the incident from her without offering appropriate protection. She said that she would have testified in court if she would have received proper protection, but she had no trust in the police due to her bad experiences in the past:

> (...) regarding protection, let us say something is going on, which should not be, that someone needs [protection], which has already happened to me, I call the police and say that I am working and I have a client ... they do not take me seriously, as if to say: 'You wanted this yourself. This is what you do and it is your own fault.' I do not like to hear such things.

Katja also once called the police to help her friend, also a sex worker, who had been attacked by a client. According to her, nobody even came. The police officer joined them at the emergency hospital. After the medical examination, the police officer wrote a report but the client bore no consequences and was not punished. A few interviewees also mentioned that police officers themselves might also work as organisers. Katja said she knew a police officer who worked as a pimp and that she has come across some other corrupted police officials.

A few interviewees referred to the important role that the police could have in prostitution if more would be done to increase the safety of sex workers. As this is not the case, Iva and Naja said that they preferred taking care for their own protection by themselves rather than being dependant on police. Katja claimed that she would be less fearful when accepting new clients and would work in a more relaxed manner if she felt that the police would protect her in cases of violence or similar situations.

Ula commented that many sex workers didn't call the police for help due to various reasons: they are afraid to report on the clients' violence, especially in the cases where their families are not familiar with their work. The second reason is that they don't expect that the police will react in a proper way:

> If the experiences of women were good, they would report [violent incidents], but they don't. It does happen that women get beaten and robbed ... but they don't report it. Because of their families. And [because] the police don't react.

Building Coalitions Between the Police, Other Agencies and Sex Workers

On the basis of literature and field research, recommendations for police work could go in the direction of putting in more effort to protect sex workers. It seems that all would benefit from this effort: sex workers would feel more protected and the police would establish greater cooperation with sex workers in various crime-related cases.

For example, research in the United Kingdom showed that schemes which promote interagency working between sex workers' outreach agencies and the police are vital in tackling the unacceptable level of client violence in street prostitution. The scheme known as "Ugly Mugs", encouraged women to report violent incidents to outreach workers who can disseminate the information to other sex workers and the police. "Ugly Mugs" resulted in an increase in reports of violence and contributed to convicting clients of violent crimes against street sex workers, thus demonstrating the valuable role such schemes can play in crime reduction (Penfold, Hunter, Campbell & Barham, 2004). Similar good practices could be implemented in other contexts and surroundings where sex workers work (private flats, night clubs, catering establishments, massage parlours etc.).

According to the data from the expert interview with Roškarič, there are only a few cases in Slovenia where the victims came to the police, reported the criminal offence(s) and continued to participate in pre-trial and further criminal proceedings. In the majority of cases, the police identify whether an issue is a criminal act of abuse of prostitution or possibly a criminal offense of trafficking in human beings, or whether the issue is an example of unregulated prostitution. These are, as explained by Roškarič, proactive approaches of the police that enable them to collect notifications of pre-trial procedures or their activities before the criminal proceedings.

It appears that the police, as well as other governmental and non-governmental bodies, could take more measures to encourage sex workers to report violent incidents. So far, police work has been more focused on detecting abuse by consulting "outside"

sources; it could put more effort into gaining the trust of sex workers, building respectful relationships and cooperation.

It seems that the improvement of working conditions, the diminishment of human rights violations of sex workers, the lowering of fear and better protection can be reached with stronger police cooperation with sex workers, and other supportive initiatives, is achieved. One of the preconditions for such a coalition is also the self-organisation of sex workers and the exchange of their experiences.

Among our interviewees, Iva was keen on the idea of exchanging experiences and views on sex work. She made an indicative distinction in the field of sex work where she doesn't advertise offers and prices, but "offer and fee". She claims that she wanted to teach her younger colleagues how important this distinction is, and she commented:

> I did not write 'offers and prices' [on my website], I wrote: 'offer and fee'. We know what the difference is between a price and a fee. You cannot get girls to understand that there is a simple difference between a price and a fee. You pay a price for a product and a fee for a service. And if you set a price, it means that someone can buy you. If you set a fee, they cannot and they only buy your service. There is a difference.

The police would benefit from educational trainings where they would be familiarised with these sex worker's experiences and views. Within the context of police work, this distinction is important because sex work in adult consensual relationships does not include ownership or possession but simply paying for the provided service. If such an understanding of sex work would prevail among the police, it would be easier to imagine they would not be as judgemental and would offer protection to everybody, regardless if a person works as a sex worker or not.

Concluding Remarks

Our research has shown that in the Slovenian context the police still face many challenges in their very complex relationships with sex workers. The current problems that occur mostly include sex workers' fear of police and their lack of trust in police work. On the other hand, positive examples, such as building trust, were also mentioned.

Literature and also our research have pointed to the need for police to develop protection programs based on good relationships with sex workers. Thus, the cooperation between the police, other agencies, various organisations and sex workers must be strengthened in the future if police work is to protect sex worker's rights. Some general ideas on how to tackle the variety of challenges are offered in the special book edition *Street Prostitution – Problem-Oriented Guides for Police* (Scott & Dedel, 2006). These

are guidelines written for the police specifically in the field of street prostitution, but they are useful for other fields of sex work as well.

The ideal role of the police in the field of prostitution in Slovenia and elsewhere is to protect sex workers, to treat them with the same respect as all other human beings and to build up trust among each other. Our interview partners provided some suggestions about how to improve relationships with the police that will be discussed in the chapter on recommendations. In order to implement relationships of mutual trust, however, more focus should be put on the inclusion of sex workers themselves in the police work and education of the police staff as well as to develop support systems.

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RECOMMENDATIONS FOR IMPROVEMENTS: AIMING FOR EQUALITY OF SEX WORKERS

Mojca Pajnik & Emanuela Fabijan

Introduction

As was demonstrated in the previous chapters, our interviewees bare stigmatisation and face problems related to the lack of recognition of sex work as a legitimate profession. They also reported hardship in relationships with some clients, pimps, and also state authorities (police), including the problem of victimisation by some service providers. Our field work has shown that some sex workers are more prone to potential vulnerability, such as the young and inexperienced, those who work under organisers and those who have health problems, while others show a lot of self-confidence and independency.

Our research participants gave several recommendations to address the various problems they face. Some of these suggestions have also been recommended by international organisations and have brought positive changes when implemented in some countries. In this chapter we will present the views of our research participants and some good practices that support their recommendations. While our focus was on the views of the sex workers, we also included the views of other informants, where they support sex workers' proposals or suggest some other novel recommendations.

Destigmatisation

The need to combat both discrimination and stigmatisation of sex workers is expressed by the European Parliament Resolution (2014), which emphasises that people in prostitution are subject to public opprobrium and are socially stigmatised, even if they stop practicing prostitution. Our interviewees mentioned the need for wider social destigmatisation of prostitution and of people who work in this field. As discussed in the chapter on sex workers, stigmatisation causes exclusion and marginalisation of sex workers that negatively affect their agency and possibilities of organizing and appearing in the public.

This is how Zorka described the stigma:

> Prostitution is the pillar of shame. ... It is judged, in this or that way. Prostitutes are somewhere on the edge of society. They are there, with fools, women, the handicapped, the homeless, they are all placed there.

Our interviewees are aware that stigma has been related to prostitution through history and think that destigmatisation includes wider social changes, from changes of fierce and competitive capitalist system that reproduces poverty, to changes of specific systems and their ideologies, such as schooling / education, health, media etc. For example, Zorka expressed the need for "competent" rather than "spectacular" debates in the media and in the political sphere, which could have a positive impact on the public's attitude towards sex workers. She stated:

> To begin with, it should be made clear that prostitution is happening. We do not even recognise this. We look for it in some dirty holes, without saying that prostitution is common, and it is not all about dirty holes. This would be a start. To tell the public that prostitution happens so that they would not be this judgmental.

Nataša emphasised the need for education and wider sensitisation in society:

> Primarily, what should change is the mentality, and this is a long-term process. It would be most practical to inform the public, perhaps also via social networks; NGOs could do more to inform about the real situation. Also in schools, they could address these issues, perhaps younger generations would be more tolerant to diversity.

International research has confirmed that there is a lack of positive images and approaches to sex work in public campaigns and legislative measures. As emphasised by Tampep, the European Network for HIV/STI, in order to empower sex workers, public campaigns and imagery (including materials produced specifically for sex workers), must be non-judgemental and respect sex workers and their choice to work in the sex industry (Tampep, 2009, p. 63).

Decriminalisation, Legalisation and Regulation

As a general principle in suggesting any legal changes, the Sex Workers' Rights Advocacy Network, SWAN, stresses that the governments should involve sex workers as partners in reforming sex work laws. They should ensure that sex workers groups are included in a meaningful way in the design of laws, policies and programs that affect their lives (SWAN, 2015, pp. 90-92). Similar is the recommendation by Tampep, i.e. that sex workers must be directly involved and represented in the policy development process (Tampep, 2009, p. 63).

All our interviewees are aware of the decriminalisation of sex work, what it means, i.e. that in Slovenia they cannot be penalised for engaging consensually in adult

prostitution. The shift towards decriminalisation is, however, far from ending problems in prostitution for several of our interviewees. Nataša connects decriminalisation with the still persistent stigmatisation:

> Decriminalisation officially means that we as performers of this activity are not penalised, which, however, does not mean that this action broadens our personal freedom. It is clear that our freedom is not as wide as it would be if we had other jobs, and the workers in other sectors are not as labelled and stigmatised as we are.

As we pointed out in the chapter on sex workers, some interviewees mentioned problems that stem from sex work being perceived as an illegal activity. They particularly emphasised distress related to hiding, as well as the non-recognition of years of service, the associated lack of social protection, and also, for example, the inability to take a housing loan. In this context, some also reflected about the possible further legal framing of sex work in Slovenia and referred to legalisation and regulation.

Naja explained that she would be willing to pay taxes from her income in order to be entitled to pension, to sick leave and to be able to obtain a loan:

> Yes [I would pay taxes], so that you have some kind of bonus. Just like any employed person. So that you can take a loan or something ... Now you practically have no evidence of having regular inflows. I do not have any regular inflows from employment, and I do not fall into any category and would not get a loan approved.

Zorka mentioned that she felt depressed when she was sick, as this meant that in times of her sickness she couldn't earn money from sex work and consequently she didn't have a regular income:

> If I get sick, this means I cannot work for a week and that means lack of income and pressure to work more, and I cannot transfer ten massages to the next week, this is really a lot for me. This worries me as I am so dependent on my body, my hands, and when I get sick, I feel vulnerable and I am depressed. If ... it would be legalised, I would receive compensation like any employed person.

One respondent mentioned that the registration of a profession and of activities, which is possible in Slovenia on paper, based on the classification of occupations and activities, should be implemented in practice, in conditions where the work of the people is protected. Furthermore, Iva mentioned she would like to register her activity in order to be able to work legally:

> The problem is that I cannot issue a bill. So that I can be self-employed and work legally. ... I thought about opening 'an s.p.' (self-employed) and offering counselling. Really. Since I cannot register (prostitution), because it is not in the register ... so that I could work legally ...

It should be noted that some interviewees were more reserved when talking about further regulations, out of fear that this would worsen their situation and bring further exposure. This was particularly noted among younger sex workers and those who have just started working in the industry or have not been engaged in it for long.

A need for further legal steps have also been mentioned by some of our expert interviewees. Both specialised state prosecutor Jože Levašič and senior criminal police inspector specialist Damijan Roškarič have detected the need for regulation. Levašič recognises the need to take further steps to increase the social and health protection of people who work in voluntary adult prostitution. Both estimated that the current regulations are quite adequate and are going in the right direction. Roškarič stressed that the purpose of the current regulation is:

> To protect those who carry out this activity – it does not incriminate them. And it incriminates those who abuse prostitution.

He reflected further on regulations he thinks would also positively contribute to destigmatisation:

> Our society should reach a certain level where a consensus should be taken. Prostitution is among us, it always has been and it always will be; and we should now start thinking of ways to not stigmatise someone for being a prostitute and to protect people through regulation. We should set some norms to determine who can carry out this activity and where it can be carried out. ... To set the rules – who, how, why, where. ... On the other hand, we should set clear rules for consequences – if someone carries out this activity outside of the regulation framework ...

If we refer to international organisations, then one recommendation would be to think about possible future steps towards full decriminalisation where all aspects of adult consensual sex work, i.e. all parties involved in sex work (sellers, buyers and facilitators), are decriminalised. For example, sex workers rights organisations support full decriminalisation (Sex Workers in Europe Manifesto, 2005; NSWP, 2015; ICRSE, 2005), as it guarantees better working conditions, reduces marginalisation of sexual workers and improves their health (Dziuban & Stevenson, 2015).

Full decriminalisation is also advocated by many UN agencies and the WHO, and leading international human rights organisations, such as Amnesty International (2016) and Human Rights Watch (2014). The medical journal Lancet, which published a special series on HIV and sex workers, also recommends the decriminalisation of sex work. It stated that "decriminalisation of sex work would have the greatest effect on the course of HIV epidemics across all settings, averting 33-46% of HIV infections in the next decade" (Macioti & Garofalo Geymonat, 2016, p. 102). A good example of full decriminalisation would be New Zealand where decriminalisation has resulted in improved protection of human rights for sex workers (Abel, 2014; Armstrong, 2016).

It has to be noted that full decriminalisation is supported by the mentioned organisations mostly because it puts the focus on the protection of rights of sex workers. Practices of legalisation, also the related registration / regulation have in principle been focused more on protecting the state (public heath, public order and peace) than the individual.[10] Historically, legalisation was first proposed as a response to the need to control the nation and it brought the introduction of the licencing of brothels, prohibiting street prostitution and introducing mandatory registration with the police and medical checks for sex workers (Pajnik, 2008, p. 64; Outshoorn, 2004), which were recognised as "discriminatory and stigmatising methods" (Tampep, 2009, p. 65). The co-owner of a sauna club who we interviewed agreed with this kind of legislation, i.e. protecting the nation:

> [If it would be legalised] the state could collect taxes. Women would have medical check-ups, which would be paid and health care would collect money. Clients would be safer. Because there are also husbands, fathers among users, and there is a need to take care of safety [of all involved].

It is therefore worth emphasising, as was stressed by the sex workers we interviewed, that any legal changes should first put the well-being of sex workers into focus.

Improving Health

As reported by SWAN (2015, pp. 90-92), the government should ensure that all health measures geared toward sex workers respect their human rights and support their control over working conditions. Some interviewees mentioned the importance of raising awareness concerning health issues and the possibilities of free testing among

[10] For an overview of European public policy see Jahnsen and Wagenaar (2018).

all sex workers. They pointed out that sex workers are not sufficiently informed about anonymous testing and that it should be organised more often.

Katja thinks that:

> Every girl should be tested, although the clients are not, but at least the girls ... [it is good] that the testing is anonymous ... but it is [organised] only once a week at the Infection Clinic.[11] There should be more of this ... most of the girls do not even know it exists and they are ashamed of going to their doctor, and then the girl does not get tested.

As emphasised by Tampep (2009, p. 67), anonymous and free voluntary testing, counselling, treatment and care should be an integrated part of the health care system in close cooperation with outreach activities, particularly with NGOs and community-based organisations with linguistic and cultural knowledge to meet the needs of sex workers.

While Katja proposed regular testing for sex workers, Naja talked about increasing sex workers' protection by acquiring information about clients.

> I would be very happy if the men had some kind of record regarding their health, I don't know, something like that, because you cannot know what someone has ...

According to Tampep, intervention and prevention activities should indeed consider the involvement of clients as key actors. Addressing clients and their mobility is crucial to health promotion and HIV risk reduction. Campaigns that aim to provide information for clients should consider different prostitution settings and cultural contexts and connotations of sex work, taking advantage of the specific concentrations of potential clients (sporting events, conventions, tourist resorts, etc.) (Tampep, 2009, p. 61).

The interviewees also emphasised the importance of non-discriminatory treatment by health professionals and stressed the demand for an appropriate non-judgemental approach towards people, regardless of their profession. They also mentioned the need for educating healthcare and social work professionals, which would be based on the elimination of stereotypes, destigmatisation and the correct treatment of sex workers. Zorka stressed that the treatment of sex workers should foremost not differ from the treatment of other people:

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[11] Anonymous free testing for HIV, hepatitis B and hepatitis C is carried out at the Clinic for Infectious Diseases and Febrile Illnesses in Ljubljana as well as in some other hospitals across the country.

> If I suffer, for example, they should accept me as a human being in the hospital without putting hundreds of millions of gloves on or wondering if I have AIDS ... they should treat me as a victim, not as if it was my own fault.

Lea reflected on the need for health workers to have a respectful attitude:

> For example, I have regular medical examinations, testing for infections, etc., and so should every girl. ... and I think the state should first focus on those who are responsible for dealing with this, because what bothers me the most is that they look at us as if we are black sheep.

Ula was critical of social services:

> Social services are a problem. They bring them in immediately ... they are not needed in the prostitution field. They immediately see problems because you have children.

Indeed, when seeking to offer substantial HIV/AIDS prevention, care and treatment, it is vital to work beyond ideological differences. Both service providers and programs offering support should seek common ground for establishing cooperation. Empowerment should be a key issue for reducing the vulnerabilities of sex workers. An open and non-judgemental partnership of cooperation and referral is essential for ensuring comprehensive support and services for sex workers (Tampep, 2009, p. 59).

The need for more accessible psychotherapy for sex workers was also mentioned. One of the interviewees regularly visits a psychiatrist and benefits from these professional conversations. She also highlighted positive experiences with her gynaecologist, who is familiar with her work and treats her with respect. Tampep identified the necessity to develop a network of general health care professionals who would offer a broad range of medical support that is not limited to simply HIV and STIs (Tampep, 2009, p. 66).

Informing, Educating, Establishing Support Systems

The interviews in general point to a need for launching organisations, initiatives and programmes which would provide various information, help and support to sex workers, without stigmatising them. Anti-discrimination training and awareness-raising courses for social workers, medical doctors, health and social assistance administrators should be organised nationwide, together with NGOs and sex workers (Tampep, 2009, p. 67).

Our respondents expressed the need for more accessible information, for example, to be able to get information about the legal framework, health care options, legal counselling, and so forth. Nataša said that:

> Greater circulation of information is needed as well as a support system.

Some also expressed the need for a project or an organisation where they could meet to socialise and talk. As Naja mentioned:

> (...) so that you can talk to someone. When I go out with a friend for coffee I cannot talk about prostitution, but many times I would like to.

Also, Zorka referred to the need for a project or an association that would provide special assistance to women who do not reside legally in the country:

> They are without papers and they should be informed about what do to in cases of violent pimps or if they need medical assistance.

The interviewees referred to some of the advantages of new technologies (mobile phones, the internet, social platforms), such as providing greater safety and work efficiency to some women, which was confirmed by our previous research (Pajnik & Šori, 2014). In this context, some interviewees support organizing an online platform, which would be dedicated solely to them, in order to be able to exchange information between themselves, without control or supervision of clients or pimps.

Nataša thinks an online platform would be helpful:

> If it would connect us, then it would be a community where we could share information ... as now clients are the ones who control us, who we are, how we work and how we do not, and it would be good if we could also interact ...

Tampep similarly stated that forums where sex workers exchange experiences, share strategies and connect with each other can function as non-judgemental support structures, while also being part of a broader movement for the rights of sex workers (Tampep, 2009, p. 69).

One respondent mentioned the need for group education, for example, organisation of clubs based on joint readings of literature, debate clubs, as well as education regarding the sexuality of women, where sex workers could actively participate. The

interviewee stressed that such programs should be aimed at empowering women and not telling them they are all being exploited.

Zorka mentioned:

> We would need programs that would assist women in thinking about their own situation, to understand their position within prostitution, but such programs ... should not appoint someone who would say how all you prostitutes are endangered. Protection and safety, of course, this is important ... but ... if we had a workshop ... a course, for example, education of prostitutes. ... to have a group and give them a book to read, which I am now reading ... Education is needed in the field of social sciences.

Zorka stressed that such programs should foremost empower women:

> You could, for example have a lecture about the history of prostitution or about meeting with police officers. You should not engage a person to come to programs and talk about how all prostitutes are exploited and that they can get out of this 'shit'. First, prostitutes should be asked if they really feel they are in a shitty situation. If you ask me, I do not feel that I'm swimming in shit ...

Naja similarly suggested various educational programs, including those related to sexual education:

> We could have, for example, courses about self-defence, or courses to improve our services, like 'how to perform a high-quality massage' ...

In Slovenia sex worker-led organisations do not exist. Recently there have been some important shifts that could lead to responses to some of the above-mentioned suggestions from sex workers. Namely, some organisations have publicly supported decriminalisation and expressed the need to protect the rights of sex workers, such as Amnesty International Slovenia and Transfeminist Initiative TransAkcija Institute. Also, in March of 2017, the Freya association was established by a group of social pedagogy students aiming at harm reduction in the field of prostitution and offering support to sex workers. Their first project "I am Ana, and I am not your Ana doll" aims at reducing risks in the relationships between sex workers and their clients. Some other NGOs and initiatives working in sexual health promotion and prevention of sexually transmitted diseases and those offering legal and working rights-related assistance should be supported and should be able to address the needs of sex workers. Some of

our interviewees also expressed the need for other relevant organisations (in particular women's rights, anti-trafficking, human rights) to be more supportive of sex workers.

An example of good practice is the P&G292 organisation from Amsterdam, which is financed by public funds and includes both health and social workers and the sex workers' confidants. They strive for the empowerment of sex workers through implementation of the following activities: improving the physical and mental health of sex workers, strengthening their social and legal position and informing about the unacceptability of various forms of violence and exploitation. Experiences from the Netherlands also demonstrate the improvement of the sex workers' position in cases where they are self-organised and united in trade unions (for example, Hydra in Berlin or PROUD, the Netherlands Association of Sex Workers), as well as in cases of active information campaigns on awareness (for example, the Information Centre for Prostitution, Amsterdam).

Improving Police Work

SWAN called for a need to improve the quality of police work with specific regard to upholding the rights of sex workers through specialised training. They recommended that governments should make it mandatory for police to undergo training on international human rights standards, with an emphasis on the need for respectful rights-affirming treatment of sex workers (SWAN, 2015, pp. 90-92).

Our interviewees emphasised the importance of police cooperation and a proper attitude toward sex workers. They demand the police should treat them as people, human beings, regardless of whether they work in prostitution or in other fields. They pointed out that in cases of violence the police should concentrate on dealing with the violent act itself and not on accusing or despising them, which some have experienced, in the sense of "it is your own fault". As Katja explained:

> One detective, who more or less condemned me, again, in the sense that I was willing to expose myself, in fact, he literally said to me: "It is the same as if you leave your purse in your car, which is unlocked, and move 500 meters away, and it is normal that you will get robbed." No! It is not normal to me that someone comes and beats me, it is not normal to me.

Interviewees stressed the need for a fair attitude from the police; they claimed that in order to address violence properly, it was necessary to ensure the consistent implementation of the existing legislation, regardless of whose rights were violated. They also mentioned the need to educate both police officers and employees in the

judiciary on stereotypes, stigmatisation and, mostly, consistent treatment in case of violence. In this context, Zorka underlined the need to increase the number of female police officers.

> (...) if I were raped, it would surely help if the police believed me and behaved towards me as if I were really raped, regardless of whether I am a prostitute or whether I am someone else.

Katja mentioned that police reactions could be quicker in cases of violence:

> (...) If someone calls for help, they should arrive quickly, take things seriously and not treat you as if you were provoking them.

Practices in some countries (New Zealand, the Netherlands, Germany) have shown the positive effects professional police attitude can have when police officers are informed and educated in the field of sex work. Violence is reduced, and at the same time, sex workers report violence and other forms of human rights violations more often (Armstrong, 2016). To improve relationships with the police, SWAN also recommended police partnership with sex worker communities in order to institutionalise their right to legal protection (SWAN, 2015, pp. 90-92).

Concluding Remarks

Slovenia has implemented the decriminalisation of engaging in prostitution, which was a positive move that has been generally supported by sex worker and human rights organisations worldwide. However, there are still several problems sex workers face in their work and everyday life, and this chapter aimed to address recommendations shaped by our interview partners and their thoughts on how to improve their own situation. Notoriously, prostitution policies in Slovenia have been shaped with no discussion about the needs of sex workers coming from sex workers, and this chapter has addressed this gap. Their suggestions should be taken into account if prostitution policy is to be effective and designed to protect sex workers' human rights.

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CONCLUDING REMARKS: REFLECTING ON THE DIFFERENCES AND SIMILARITIES OF PROSTITUTION POLICIES AND PRACTICES IN CROATIA AND SLOVENIA

Mojca Pajnik & Ivana Radačić

The purpose of this pilot study was to explore the differences and similarities of the Croatian and Slovenian prostitution regimes, in particular, how they are reflected in legal practices and narratives of sex workers. This task has, however, not been easy. Different policy regimes and the specific structures that shape sex work markets in the two countries have affected our field work as well as the composition of our samples. Though both studies reflect on legal practices, the methodology was adapted to the different contexts. In Croatia we analysed the case law of the misdemeanour and municipal criminal courts in the two main cities of Zagreb and Split for the period 2015-2016. In Slovenia no available case law exists for the analysed period, so the team relied on statistical data and expert interviews. An expert interview with a police officer was also relied upon in assessing sex workers' relationship with the police in the Slovenian context (there were fewer accounts on the topic from the sex workers), which was not the case in the Croatian study. Moreover, the sample of sex workers differed in the two countries (also) in terms of their routes and pathways into prostitution, which influenced their experiences in prostitution. However, some themes were common for both samples, and narratives in both cases included both positive and negative experiences. Sex work is a complex phenomenon, which cannot be discussed in a dichotomous manner. Indeed, this study has challenged the dichotomous theoretical framework (voluntary-involuntary, work-violence, agents-victims) and has laid the groundwork for further empirical studies in the two countries.

As was shown in the chapters on policy and practice, there is little data on prostitution and prostitution markets in both countries. Moreover, there has been little interest in research on this marginalised topic and almost no interest from potential funders in both countries. In Croatia, specifically, prostitution is an under-theorised and under-researched topic. This is the first qualitative research study with sex workers. In Slovenia, similar methodologies were previously used (Pajnik, 2008), but this research brings insight into the field as it is currently shaped, by distinctly focusing on the implications of the policy-legal framework and analysis of sex workers' voices

and needs. Further, this is the first study that has compared sex work in both of the post-socialist countries.

We have shown how prostitution policy and legal framings differ. In Croatia, sex workers are criminalised according to the Act on Misdemeanours against Public Order and Peace, while in Slovenia "engaging in prostitution" was decriminalised in 2003. However, in 2006 an article was reintroduced to the Protection of Public Order Act which penalises the offering of sexual services in public spaces "if it is done in an intrusive way" as an act of indecent behaviour. Even though the fact that there was no case law on this provision in the period 2015 – 2016 may be interpreted as a positive sign of tolerance, the provision itself is problematic as it marginalises (street) prostitution, and reproduces the stereotypical presentation of prostitution as an immoral activity, which deepens the stigma for sex workers. Indeed, as a Croatian provision, it is based on the understanding of prostitution as a "danger" to the well-being of the public. In Croatia, the discourse of "social evil" is the dominant framework of discussing prostitution.

Further, our analysis pointed to both the similarities and differences in criminal law frameworks of regulating prostitution. What is similar in both countries is that the use of sexual services is not considered an offence, except in cases when clients use the services of minors, victims of trafficking (or otherwise compelled in Croatia), though the standards of responsibility differ (in Slovenia, clients are criminalised only if they knew of these circumstances, while in Croatia the standards is "know or should have known"). Secondly, in both countries exploitation of prostitution is criminalised. However, Croatian criminal law regulation of prostitution is more extensive – any form of organising or aiding and abetting prostitution, even without exploitation, is an offence. As shown in the first chapter of the Croatian study, women who work together can be criminalised under this provision. Not only does this not respect the agency of sex workers, it might also undermine sex workers' health and safety by pushing them into other more exploitative forms of organisation. Hence, we consider this provision problematic.

While the Slovenian criminal code provision focuses on exploitation, a concern was expressed whether the legal framework and practice is attentive enough to differentiate between consensual engagement in prostitution, including its organisational aspects, and cases of abuse and trafficking in human beings. Indeed, it was questioned whether these two articles (abuse of prostitution, trafficking in human beings) are different enough to enable distinct case law. We have pointed to the need to reconsider the thin borderline between consent and abuse and its effects on police and legal practice. We have argued that sex workers should be included in policy making in both Croatia

and Slovenia. This would be made easier if sex workers would get organised, which is lacking in both countries.

After discussing policy framework, we presented the sex workers' experiences in the industry: their pathways into prostitution, ways of organising work, likes and dislikes and some common problems. Neither individual country data nor their comparison is representative and does not allow for generalisation to the whole population of sex workers across the two countries. Differences in samples and legal frameworks were reflected in the narratives of sex workers. In the Slovenian study, which mostly included women who organise their own work by themselves or with other co-workers, the sex work narrative was more prominent and focus was placed on exploring sex workers' organisation practices to assess the effects of decriminalisation. In the Croatian study, which included mostly women in situations of vulnerability in a criminalised context, violence was a prominent topic, and focus was placed on investigating what resources sex workers had to overcome marginalisation and violence. However, both samples included people who find the work stressful and do not feel comfortable with it, as well as those who find pleasure in it, and in both samples, both positive and negative experiences of working were discussed. Moreover, both samples had some commonalities – as reasons for prostitution, the interviewees mostly mentioned being able to earn a living or improving their precarious financial and social status, and all mentioned experiencing stigmatisation.

Sex workers' narratives on clients in both studies have shown that the profiles of clients differ, as do their reasons for buying sexual services. Experiences of sex workers with clients also differ and include positive experiences, such as feeling valued and socialising, as well as negative, such as clients crossing boundaries, treating sex workers in a disrespectful manner, attempting to re-negotiate services or prices or, in some instances, not paying the agreed price, as well as cases of serious physical, sexual and economic violence. The common problem in both studies was the non-reporting of violence, exacerbated in the Croatian context by the criminalisation of engaging in prostitution.

Experiences with intermediaries also differed slightly in the two samples, though some commonalities were found as well. None of the interviewed sex workers worked in exploitative third party arrangements at the moment of the interview: all the Croatian sex workers worked alone, while in the Slovenian sample, one of our interviewees worked under an intermediary. In the Croatian sample, many women had very negative experiences with pimps in the past. Incidents of violence included constant control, sexual violence, physical violence and economic violence. In the Slovenian sample, women did not suffer such instances of violence themselves, but had heard of similar cases from other colleagues, and some experienced economic exploitation when they

worked under the supervision of intermediaries. Furthermore, sex workers in the Slovenian sample also pointed to the arrangements with non-exploitative intermediaries who provide premises and safety for a reasonable provision. In the Croatian study, an example of non-exploitative financial arrangements was presented by a former intermediary. In addition, two minders shared their experiences. The findings of the study thus confirmed that while profiles of intermediaries and their reasons differ, pimp control and violence present significant problems, particularly in the lives of sex workers in vulnerable situations (for example, drug addiction, youth). Moreover, in both countries sex workers were reluctant to report violence because of the perceived and/or experienced discriminatory police attitudes.

The chapters on sex workers' relationship with the police show the differences in sex workers' relationships with the police in the two countries, which are due, at least in part, to different legal frameworks: the role of the police in the Croatian context includes apprehending sex workers, while in Slovenia it is focused on detecting cases of abuse. Only a few sex workers from the Slovenian sample had contact with the police. In the Croatian sample, all sex workers had contact with the police, and all but one were apprehended by the police for prostitution at least once. But sex workers working in Slovenia also reported problems with the police, primarily lack of protection due to discriminatory attitudes of (some of) the police officers towards sex work and sex workers. In Croatia, in addition to this problem, some women reported harassment during arrest and detention, as well as extortion of free sexual services and police corruption. On the other hand, a positive example of police protection was given by one sex worker.

Sex workers in both countries gave recommendations for addressing the problems they face. In both countries this included suggestions for law reform. In Croatia, they advocated decriminalisation and / or legalisation, and in Slovenia, legalisation and/or the need for further regulation that would foremost enable sex workers to enjoy social rights. Moreover, in both countries a need to address stigmatisation was mentioned, as well as the need to improve their relationship with the police, which was particularly emphasised by the sex workers in Croatia. In addition, many sex workers expressed the wish for organisation, learning about rights and improving health. Furthermore, a need for targeted services, particularly for those in situations of vulnerability, arose particularly from the Croatian study. Examples of good practices and international standards on the issues discussed by the sex workers were given in these chapters.

While generalised conclusions about sex workers' experiences of prostitution policies in Croatia and Slovenia and about their differences and similarities cannot conclusively be made on the basis of this study, some recommendations can certainly

be proposed. The study shows some of the problems that some sex workers face under the two policy frameworks and indicates the need to address them. For these policies to be respectful of the human rights of sex workers, as well as feasible and effective, sex workers need to be given a voice in policy-making and implementation. Moreover, further research needs to be undertaken with the sex workers. We hope that this study initiates changes in prostitution policy and research in the two countries, contributes to a more complex understanding of prostitution, challenges the stigmatisation and marginalisation of sex workers and enhances their human rights.

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