Change Starts With Us

Mama Cash grantee Empower Chiang Mai reflects on the ingredients for impact
Empower Chiang Mai is part of Empower Foundation, a sex worker organisation established in 1985 to ensure that women sex workers enjoy safe and fair working conditions. Founded and led by sex workers, Empower challenges the stigma and negative stereotyping of sex workers in Thai society, and engages in national level advocacy. The group received its first grant from Mama Cash in 2009.

Climbing the ladder to reach our goal

An estimated 300,000 people work as sex workers in Thailand. Sex work is a significant source of income for the country: it has been estimated that $300 million is transferred annually to rural families by women working in the sex sector in urban areas, a sum that in many cases exceeds the budgets of government-funded development programmes. Despite its importance for the Thai economy and for employment, sex work is illegal and not recognised as legitimate work. Corrupt authorities and police exploit and misuse the law to extort sex workers, collect bribes, and abuse sex workers’ rights.

Despite enormous challenges, Empower has achieved significant results. The organisation has long demanded that sex workers be involved in decision-making around issues that affect them. In the aftermath of the 2005 tsunami disaster, which had a severe impact on workers in the Thai entertainment sector, Empower called on UN agencies and the government to consult sex workers about the availability and use of aid money. Although sex workers were excluded from the post-tsunami compensation schemes, the groundwork had been laid: in 2010, when severe flooding again wreaked havoc on those working in the sector, Empower saw a significant change. The government sought Empower’s input about the impact of the flooding on sex workers and about their needs. Empower helped ensure that sex workers, like other affected people, received compensation and aid made available by the government.

For many years, Empower called on the Thai government to give sex workers access to the national social security system. Despite their economic contribution to the country, sex workers were excluded from the scheme. This meant that if they fell ill or retired, they lacked a source of income for themselves and their families. Moreover, they were often unable to access or afford appropriate health care and received no child care support.

In 2011, Empower achieved a major victory when sex workers gained access to the system. Sex workers are now entitled to compensation if they become sick or take maternity leave. They have access to free health care and a choice of health care facilities. Significantly, it was stipulated that anyone who has been employed for a year and has paid their dues can stay in the social security system even if they go on to work for themselves. This is an important feature for sex workers, who often make use of this opportunity. Empower itself can employ up to 30 sex workers per year at its Can Do Bar through which the workers can gain entry into the system.

Apart from the obvious benefits of social security for individual workers and their families, Empower sees the change in policy as a significant shift in the understanding of sex work and its place in Thai society.
work as work. As the group explains: “We are climbing a ladder, a ladder with ten steps. When we started Empower, we took the first step. We are climbing the ladder slowly but steadily. When we hit ten, we are where we want to be. There will be no stigma attached to sex work, and no laws criminalising sex work or discriminating against sex workers. [Thirty years] after we started Empower we are still climbing. We are ready to climb the rest of the ladder.” Going forward, Empower seeks to tackle the exclusion of undocumented migrant sex workers from the social security scheme.

Thanks to Empower, sex workers’ access to justice has also improved. In collaboration with human rights organisations in the country, Empower has tirelessly advocated for sex workers’ human rights and exposed human rights violations within the justice system. In the past, when sex workers were randomly arrested during raids, they could do little to resist and were at the mercy of the arresting police officers. Empower established legal clinics where sex workers can obtain legal advice from other sex workers who have been trained as paralegals. As a result of Empower’s efforts, the level of impunity in cases of violence against sex workers has decreased. Although no data have been generated, Empower has many anecdotal cases that illustrate the difference. For example, when a young sex worker from Laos was found dead in the river near the Thai-Lao border, the police claimed it was a suicide. However, the young woman’s family insisted that it was murder and came to Empower for support. Empower demanded an investigation, calling attention to the case and to the failure of the justice system. As a result, the police launched an investigation, the perpetrator was found and prosecuted, and the family compensated. Of course much work remains to be done: in April 2015 a woman in Chiang Mai, Samorn, was raped and murdered by a serial killer targeting sex workers. In this case and others, Empower points to the failure of the justice system and society: “Sex work is not inherently dangerous. But as long as the state and society deny sex workers equal protection under the law, violent men will feel safer to choose sex workers as their victims.”

Empower’s advocacy efforts and its impact has, in the last few years, extended beyond Thailand. Regional and international policymaking bodies have invited Empower to provide recommendations about existing and proposed policies. For example, the International Labour Organisation requested Empower’s input on recommendations related to tackling the underlying factors that enhance risks of HIV infection in the context of work. This contributed to ILO recommendation No. 200, which is positive in its recognition of the need to reduce stigma and discrimination, promote economic empowerment, and acknowledge women’s role in sex work. On the regional level, Empower has addressed the Association of Southeast Asian Nations (ASEAN) Parliamentary Commission, presenting sex work from a human rights perspective, stressing the importance of distinguishing sex work and human trafficking, and highlighting the economic importance of the sector for ASEAN countries. Empower’s research and documentation on the issue of human trafficking and sex work has fed into other important international policy discussions. Empower has identified gaps in the adaptation and implementation of the UN Protocol on trafficking, and shown the adverse impact of anti-trafficking laws (e.g. the Thai Suppression and Prevention of Human Trafficking Act 2008) on sex workers, particularly migrant sex workers. In 2012, Empower published a report, based on nationwide sex worker-led research, entitled Hit and Run: The impact of anti-trafficking policy and practice on sex workers’ human rights in Thailand. “We used to be the ones that were being researched, our needs mapped . . . decisions taken over our lives and what’s good for us. We refuse to go along with that. We know what’s good for us. We will not be objects of other people’s agendas.” Empower presented its research to many regional and international bodies, including the
United Nations Office on Drugs and Crime, the International Commission of Jurists, the UN Asia Pacific Regional Group on Trafficking and Work, the UN Special Rapporteur on Trafficking, the ASEAN Parliamentary Committee, and the government of Laos. Empower reports that the number of raids and ‘rescue operations’ has decreased since they released and disseminated the report. The group continues to push for change, and has filed a formal complaint with the National Human Rights Commission.

**Defining the terms**

Empower attributes its success in decreasing stigma and changing policies to the fact that sex workers themselves are organised, pursuing their own agenda, and addressing controversial issues in public and official spaces on their own terms, in their own language. Sex workers have become a group that is being spoken with, rather than only spoken about. As an indicator of decreased stigma, Empower points to language. Language is central in Empower’s understanding of how social change happens: the organisation published a dictionary of commonly used—often derogatory—terms related to sex work, presenting them within a broader social and political context, and calling for change. As a result, Empower has seen a positive shift—by the media, the government and NGOs—away from the use of the term ‘prostitute’ and toward the more accurate term ‘sex worker.’

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**Activism for all of us**

Empower believes in the collective power of women as a force of change. Over the past 30 years 50,000 sex workers have been part of Empower. “We keep expanding membership, every year some 800 new women join. Our numbers, in turn, ensure that every sex worker knows Empower and knows where to turn for support, and for community. It’s our membership—the movement that we have built—that is the driving force of all change we make. This is the basis of everything. . . . The lives of sex workers in Thailand are completely different from what they were before Empower. There’s an Empower saying that goes something like ‘if the fire reaches someone’s ass, act like it is reaching yours.’ Our strength is
not only in our numbers, it is in our sense of belonging, of being a group. If other women are affected, we are affected. It is not about one of us individually, it is about all of us.”

Empower describes its strength as lying in the ownership of the organisation by many, the strengthened capacities of volunteer-staff and members, and the strengthened alliances with other movements. After experimenting with paying some people, but not others, Empower concluded that less reliance on paid staff means greater involvement and ownership by all. Empower Chiang Mai is collectively run by a group of some 20 core people, most of whom are present at the Empower centre daily. In their own words, “It’s not a job, it’s a lifestyle.” The organisation’s structure has the added benefit of minimising the need for external funding. Just four women receive small compensation for their responsibilities within the organisation; none is financially dependent on this money.

Role of Mama Cash

Up until 2009, Empower’s main source of income was a grant from the Global Fund to Fight AIDS, Tuberculosis, and Malaria for migrants. When this changed to become more and more restrictive, Empower Chiang Mai set out to look for new donors whose agendas were more aligned to theirs. Empower approached Mama Cash, which has been Empower Chiang Mai’s main donor ever since.

Empower sees the funding landscape for sex worker rights narrowing. “Some of the new funding structures have split and divided alliances,” the group explains. “USAID funding, on which some allied organisations in the HIV movement rely, dictates that groups have to take a position against ‘trafficking and prostitution.’ So there are groups that do not dare associate with us any more. Informally we are friends, but politically there is no space for collaboration. The Global Fund to Fight AIDS requires mandatory testing of sex workers. We are about human rights. We cannot follow the funding if it involves mandatory testing. Few donors are interested in funding rights. Funders instead want to protect society from us, from disease. It is not about us.”

Mama Cash is the only funder providing operational support to Empower. Empower has successfully raised small amounts from other donors for projects and travel, but raising money to cover general operating costs and some of Empower’s activities, which are less attractive for most donors, has remained a challenge. The continuity of funding, as well as the fact that Mama Cash leaves it up to the organisation to decide what to use the funds for, is what Empower values most. Mama Cash’s support enabled the group to spend resources on research—Empower’s documentation of the implementation of the anti-trafficking policy—that was controversial and not actively sought by other institutions. “Mama Cash accompanied us in all we did the past five years,” says Empower. “Trust in what we do . . . that we know what we are doing, and the willingness to support our decisions and our strategies, to be flexible when we see opportunities that we can jump on, and the commitment, the continued financial support over years—that is what has been important.”

Empower Chiang Mai activists have participated in various feminist and women’s rights conferences and meetings on Mama Cash’s
invitation. Empower members attended the Asia Pacific Conference on Reproductive and Sexual Health and Rights in 2011, the AWID Forum in Istanbul, Turkey in 2012, and the Asia Pacific Feminist Forum in Chiang Mai in 2014. In all of these settings, one of the purposes of their participation was to be present as sex workers, to speak as sex workers and as feminists, and not merely be spoken about. Significantly, even through the Asia Pacific Feminist Forum took place in Empower’s home town, Empower was invited to the Forum not by the organisers, but by Mama Cash. Sex work and sex workers’ rights remain controversial in the feminist movement in Asia, as in the rest of the world. Empower was the only sex worker group in attendance. Together with Mama Cash, the group co-organised a session on sex worker rights as part of the regional feminist agenda. In this way, Empower and Mama Cash are jointly working toward a more inclusive feminist movement.

“Not all funders are easy to work with; not all funding is helpful. There are donors that are willing to pay for us to fulfil their agenda—we have tried working with such donors but no longer do that. We have our own agenda and will not compromise. If there’s alignment, great. If there’s not, we’ll focus on our own agenda, with or without the support of that particular donor. We compare donors to our customers. There are funders that are like the customer who thinks he is your husband: they want to control what we do, take away our space to engage in other issues. There are funders that are like customers who want to get a free ride: they want to use us for their purposes without pay. Mama Cash support has allowed us to keep our eye on what we believe is important. To further our own agenda, without compromise. We share a vision and a politics. The funding is flexible and we use it for what we prioritise. And see how far that has got us. We are at the table, and we are there on our own terms. That makes all the difference.”

From 2009 to 2015, Empower received a total of €252,000 from Mama Cash.
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