

SEX WORK LEGAL FRAMEWORKS

in Central-Eastern Europe and Central Asia (CEECA)

Sex work laws and policies vary to a great extent in CEECA and set out provisions that prohibit and regulate activities of sex workers, their clients, and third parties.

SEX WORKERS

Lack of criminalisation and regulation	Penalisation and criminalisation through administrative and criminal laws	Legalisation/regulation
<p>Sex work operates in a grey area: it is neither explicitly illegal nor is it entirely legal. Various legal provisions are routinely used to target and prosecute sex workers which are not directly related to sex work.</p>	<p>Sex work offenses lead to administrative penalties, such as fines. Serbia and Croatia apply harsher sentences and atypical for administrative offenses, impose potential imprisonment on sex workers. In Albania, sex work constitutes a criminal act.</p>	<p>Only some forms of sex work are explicitly legal based on restrictive criteria. Some limited types of third party activities - brothel-keeping - are only allowed in Greece and Turkey.</p>
<ul style="list-style-type: none">• Bulgaria• Kazakhstan• Kyrgyzstan• Slovakia• Czech Republic• Slovenia	<ul style="list-style-type: none">• Albania• Bosnia and Herzegovina• Croatia• Georgia• Lithuania• Montenegro• Moldova• North Macedonia• Romania• Russia• Serbia• Tajikistan• Ukraine	<ul style="list-style-type: none">• Greece• Hungary• Latvia• Turkey

CLIENTS OF SEX WORKER

- **Lithuania:** sex work and buying sexual services are both criminalised. The penalty is a fine of **€86 to €144** for a single offence and **€144 to €288** for repeat offences.
- **Bosnia and Herzegovina:** some cantons, such as Sarajevo, punish clients under the same misdemeanor offense as sex workers.
- **Serbia:** since 2016, clients of sex workers are punishable.



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THIRD PARTIES

The category of third parties covers the diversity of relationships that exist between sex workers and others who organise and facilitate their work. It includes managers, brothel keepers, receptionists, maids, drivers, landlords, hotels who rent rooms to sex workers, and anyone else who is seen as facilitating sex work.

- Laws in almost all CEECA countries aim to prohibit the organisation and facilitation of sex work.
- Often, there is no distinction in law between those third parties that are profiting from sex workers' labour in a non-violent manner and those that are exploitative or violent.
- The only two countries in the region that allow certain forms of third party relations are **Greece** and **Turkey**. In both countries, sex work is only legal in state-licensed indoors venues.

FURTHER LEGAL PROVISIONS IMPACTING SEX WORKERS

Public health laws

- **Latvia, Hungary, Greece, and Turkey:** sex workers have to undergo medical check-ups as a prerequisite to working legally.
- Police raids have been documented in **Kyrgyzstan, Tajikistan, North Macedonia, and Greece**. If identified as a person selling sex who lives with HIV during these processes, criminal charges can be pressed against sex workers if laws are in place that criminalise HIV transmission, potential or perceived exposure to HIV, and/or non-disclosure of known HIV-positive status.
- Drug possession is heavily criminalised throughout the region and exposes sex workers who use drugs to high levels of surveillance, policing, and detention.

Migration laws

- In countries where sex work is illegal, for instance in **Russia, Ukraine, Croatia,** and **Romania**, migrant sex workers are denied the right to work and subjected to heavy punishment, including deportation.
- Even in countries where sex work is legal, such as **Turkey**, entry might be forbidden for the purpose of sex work.
- Internal migrant sex workers cannot access medical services because regulations grant citizens' inclusion within public healthcare on the basis of their official residence.



Laws related to sexual orientation and gender identity/expression

Anti-LGBT laws, such as the propaganda law in **Russia**, increase the stigma of LGBTQI communities and indirectly encourage discrimination and violence against them. It has been reported in **Kyrgyzstan**, for instance, that police attitudes towards trans sex workers significantly worsened when the draft propaganda bill was discussed in Parliament.

Public morality and public order laws

Vague “indecent behaviour”, “morality”, and “hooliganism” administrative provisions have been reported to target sex workers across the region.

- **Kazakhstan:** the administrative article of harassment in public places is used to punish sex workers. The article specifically refers to soliciting sexual services.
- **Kyrgyzstan:** trans sex workers are often charged with the offense of petty hooliganism, which is punished by either a fine with **8 hours of public work**, or an administrative arrest for up to **5 days**.
- **Hungary:** various traffic regulations and public order laws, such as littering offenses are used against sex workers on a daily basis.
- **Romania:** police threaten street-based sex workers with Article 375 of the Penal Code, an offense against good morals.

