

7th March of the Hat: ‘NO’ to the outrageous Penalty Code

by AMMAR Córdoba, November 27, 2013

On Wednesday the 20th of November, the Network for the Recognition of Sex Work, together with AMMAR Córdoba participated in “The Great 7,” the seventh edition of the March of the Hat where the primary objectives of the mobilization were repealing the Penalty Code of the Province of Córdoba and public denunciation of police abuse. This code, created to punish behaviors that impair daily life in order to facilitate coexistence, gives the authority of judgment to the Provincial Police. This is to say, it lets them stop anyone performing any kind of “infraction” of the law to impose punishment (most commonly prison). In this sense, it violates constitutional rights such as the right to any attorney (Article 18), and the right to be tried by an independent and impartial judge (American Convention of Human Rights, Articles 8 and 25), among others.

The most questionable components of the Penalty Code are: “loitering” (Article 98) which permits the arrest of those who have a “suspicious attitude” near buildings or vehicles; “the refusal to identify oneself” (Article 79) which for those who refuse to identify themselves to a police officer is a punishable by imprisonment; and “tumultuous public meetings” (Article 99) used against those participating in public strikes. Also within them is Article 45, which permits the incarceration of independent sex workers, or prostitutes working on the street. Additionally, the recently sanctioned Article 46 allows the detainment of sex workers who work behind closed doors, criminalized solely for opening a door to an establishment where prostitution is exercised. Here, this absolutely licit activity is criminalized and persecuted, which undoubtedly ends up strengthening pimping and trafficking networks, giving power to public forces to detain them for their own initiatives. and imposing greater penalties than unto any other infraction.

This violates the right to work (Article 14 of the National Constitution) of those engaged in this activity and it is for these reasons that those at AMMAR and RRTS march with signs with messages such as : “If I go to work, I don’t know if I’ll return. Look at Article

45 in the Penalty Code.” “Sex Work isn’t Scandalous.” and “Stop persecuting sex workers.”

The human rights of sex workers are being violated throughout the country, but the situation in Córdoba is of particular concern. The Provincial Government, through the Provincial Law of Trafficking Number 10.060, intentionally confuses sex work with human trafficking, driving sex workers to the street after the closure of brothels that were "in sight." In turn, the Penalty Code criminalizes people, based merely on the fact that they work on the street. The Government of De La Sota systematically persecutes and represses sex workers. So on November 20th, in the 7th March of the Hat, we are demanding:

STOP THE PERSECUTION OF SEX WORKERS!
REPEAL THE PROVINCIAL LAW OF TRAFFICKING
REPEAL THE PENALTY CODE
LABOR RIGHTS FOR SEX WORKERS
STOP POLICE ABUSE!