

# **Legal Status of Persons Providing Sexual Services**

## **Abstract**

The thesis addresses the issue of legal regulation of sexual work. The main objective is a critical analysis of four different regulatory approaches representing strategies for addressing the status of persons providing sexual services in a legal and social context. A comparative analysis of four regulation models – prohibitionism, abolitionism, legalization, and decriminalization – reveals differences in legislative approaches and their practical consequences for the lives of sexually working persons.

The prohibitionist model, exemplified by the Russian Federation, represents the most repressive approach. Its primary goal is to eliminate sexual work through criminal and administrative sanctions. This model targets all aspects of sexual work, leading to a significant deterioration of safety and social status of sexually working persons. The abolitionist model, represented by Swedish legislation, offers a different perspective – criminalizing the demand for sexual services, not their provision. Although it declares protection of persons providing sexual services, it often deepens their social stigmatization and disadvantage. The legalization model, applied in Germany, perceives sexual work as a legitimate economic activity, but at the cost of creating a strictly regulated legal framework. While this approach formally recognizes the existence of the sex industry, it simultaneously creates a two-tier system that can generate additional obstacles and risks for sex workers themselves. The decriminalization model, implemented in New Zealand/Aotearoa, represents the most progressive approach according to the thesis. It integrates sexual work into the standard labor law system and provides persons in the sex industry with comparable rights and protection as other workers.

The critical part of the thesis focuses on analyzing the current situation in the Czech Republic, where a fragmented and ambiguous legal framework creates an exceptionally uncertain status for persons providing sexual services. The existing legislative framework does not provide adequate protection against potential violence, discrimination, and exploitation. The conducted analysis demonstrates that repressive models provably deepen the vulnerability of sexually working persons, expose them to higher risks of violence, and systematically violate their fundamental human rights. In contrast, the decriminalization approach appears to be the most effective path to their social integration and protection. The output of the work includes specific legislative recommendations for the Czech Republic. These recommendations are based on the

conviction that the right to dignified work and protection from exploitation must be universal and must not be conditioned by moral judgments about the nature of the performed activity.

**Key words**

sex work, decriminalization, labor rights