

HIV and AIDS REPORTER: focus on trafficking and sex work **17 July 2007**

produced by the [IDS Health and Development Information](#) team
in collaboration with [Eldis](#) and the [DFID Health Resource Centre](#)

This is our monthly email bulletin, bringing together research to inform policy debates on health in developing countries.

The HIV and AIDS Reporter aims to provide readers with a more in-depth look at a particular area of health policy. This month's theme is **trafficking and sex work**. The bulletin also features summaries of new documents and other additions to the [HIV and AIDS Resource Guide](#).

HIV and AIDS Reporter archive - an archive is now available on the HIV and AIDS Resource Guide. See previous issues of the HIV and AIDS Reporter at www.eldis.org/go/topics/resource-guides/hiv-and-aids/hiv-and-aids-reporter

All documents listed below are available free on the web. If you are unable to access any of these materials online and would like to receive a copy of a document as an email attachment, please contact i.young@ids.ac.uk.

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Announcements

Feature: Trafficking and sex work

Trafficking in humans is a very serious issue that threatens the human rights of countless men, women and children around the world. It puts already vulnerable people at risk of HIV, and denies them access to adequate health care, education, and basic human rights. Trafficking in women was defined in the 2000 convention as:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

- from the **Protocol Palermo Protocol**

However, the existence of an international definition has not done away with controversy. The definition names 'prostitution' as one of the purposes of trafficking, and the subject of prostitution is one of the most controversial areas within trafficking debates. From US restrictions on HIV funding to organisations that continue to work with sex workers, to promoting sex workers rights, there are a number of policy approaches that reflect considerably different ideologies and experiences.

One approach to trafficking sees it almost exclusively within the sphere of prostitution, and is premised on the idea that any prostitution involving migration or travel is equivalent to trafficking. In this understanding, the willingness or consent of the person involved is irrelevant. This approach focuses on repressive measures intended to suppress prostitution, including forced 'rescue' and/or incarceration of sex workers. An example of this can be seen in the **U.S. Global Gag Rule**. This rule forces recipient organisations to take an anti-prostitution pledge, which restricts funding to those organisations that reject all forms of prostitution. Many have argued that this approach only serves to exacerbate stigma and discrimination against already marginalized groups. Another example of an organisation that takes this approach is the **Coalition Against Trafficking in Women**.

A second approach to trafficking is that it is the force or coercion itself that determines when trafficking occurs and also focuses on trafficking for other purposes than prostitution, such as trafficking of men for factory or agricultural work. This approach favours what can be termed a 'rights based approach', which argues for an expansion of labour and citizenship rights to migrants, as well as comprehensive support for trafficking victims, including residence permits. An organisation that takes this approach is the Global Alliance Against Trafficking in Women, **GAATW**.

A third approach sees the entire trafficking framework as problematic, and as particularly unhelpful when used to look at migrant labour, especially sex work. It argues that by dividing migrants into 'innocent' victims of trafficking and 'guilty' irregular migrants, the needs and rights of large numbers of people are ignored. . This approach places the most emphasis on rights for all migrants and workers, including sex workers, and entirely rejects any repressive policy measures taken in the name of stopping trafficking. **Sangram** is an example of an organisation that take this approach to trafficking and sex work.

Thanks to Jo Doezema for writing this feature.

For more information see:

- Eldis Migration Guide topic: Trafficking in women
<http://www.eldis.org/go/topics/resource-guides/gender/trafficking>
- HIV and AIDS Resource guide topic: sex workers and the sex industry
<http://www.eldis.org/go/topics/resource-guides/hiv-and-aids/vulnerability/sex-workers-and-the-sex->

industry

- Network of sex work projects
<http://www.nswp.org/>
 - Research for sex work
<http://www.researchforsexwork.org/>
 - The anti-sex work anti-trafficking agenda: a threat to sex workers' health and human rights
<http://www.nswp.org/nswp/conferences/xivaid/nswp-0207.html>
 - Empower foundation
<http://www.empowerfoundation.org/>
 - Open Society Institute Anti-Prostitution Pledge" Materials
http://www.soros.org/initiatives/health/focus/sharp/articles_publications/publications/pledge_20070612/antipledge_20070612.pdf
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Recommended readings on trafficking and sex work

1. Sexuality, development and human rights

Authors: S. Correa and S. Jolly

Produced by: Siyanda (2007)

Historically development work has dealt with sexuality in limited ways and current development approaches to sexuality tend to focus on the negative aspects - violence, ill-health and exploitation - to the exclusion of the positive aspects such as well-being, fulfilment and pleasure. The Swedish Ministry for Foreign Affairs has taken an important initiative to invite a global dialogue “exploring connections between sexuality, sexual rights and economic development, and the realisation of a broad spectrum of human rights - not just health but also economic development, people’s livelihood options as well as their physical and psychological wellbeing”.

This paper constitutes a contribution to that dialogue. It discusses the current global context around sexuality, conceptions of sexuality underlying development action, development engagement with sexuality to date, and some thoughts on how development actors can support a move towards more positive sexual rights and freedoms while avoiding imposing dominant or culturally specific preconceptions on what sexuality is and how sexual practices should be. The authors of the paper recommend to:

- acknowledge the importance of sexuality for human well-being and fulfilment, and as a determinant of inequalities and poverty: incorporate an analysis of the connections with sexuality into all policies and programmes tackling poverty
- build on the promise of human rights and sexual rights frameworks: include but go beyond rights approaches which consider only the negative side - rights to freedom from discrimination, violence and ill-health; recognise and build on the positive aspects of sexuality, and support rights to sexual fulfilment, well-being and pleasure
- recognise the role of power relations - such as gender, class and race, in constructing sexuality: support greater equality in accepted structures of sexuality - such as marriage or heterosexuality; support those who are stigmatised for their sexual practices - such as LGBT and sex workers by asking them what they want instead of imposing particular models of how they should be
- be democratic and inclusive in developing policy and programming on sexuality: people from the range of diversity in sexual politics must be involved in all debates and dialogues; policy formation at all levels must be guided by firm principles of democratic deliberation and avoid culturally or financially based impositions

- challenge the current conservative political trends and religious fundamentalisms, for example the ideologies producing U.S. conditionalities on HIV/AIDS funding, including requirements to promote abstinence, condemn sex work, and refuse to provide abortion services or information
- Available online at: www.siyanda.org/docs/Correa_Jolly_EGDI.doc

2. Sex work and money

Produced by: Research for Sex Work (2006)

This issue of Research for Sex Work highlights the negative impact which the United States (US) HIV policy is having on sex workers in developing countries. Since 2003 the US government has demanded that all recipients of its HIV prevention funding adopt a policy opposing prostitution. This has restricted funding for organisations working to empower sex workers and has led to sex workers being denied access to services. In Cambodia, for instance, the policy has been used by some organisations as an excuse to promote stigma and discrimination against sex workers and men who have sex with men (MSM).

The research document also highlights the shortage of condoms in sub-Saharan Africa. This is due to the US policy of promoting abstinence rather than condom use for HIV prevention. In 2004 the US government supplied 315 million fewer condoms for free distribution than it did in 1990. The cutback in US supply, combined with the adoption of abstinence promotion policies by African countries, such as Uganda, and poor planning has resulted in severe shortages across the continent. Organisations which supply free condoms to sex workers have been forced to purchase supplies commercially, and these have become more expensive due to the shortages. The authors argue that sex workers are among those most severely affected by the shortages and call for concerted political action to end the crisis.

Available online at: www.researchforsexwork.org/editions/r4sw09.html

3. Implications of U.S. policy restrictions on programs aimed at commercial sex workers and victims of trafficking worldwide

Produced by: Center for Health and Gender Equity (CHANGE) (2005)

This policy brief from CHANGE, examines the implications of the United States (US) Global AIDS Act, which bars the use of federal funds to promote, support or advocate the legalisation or practice of prostitution. The brief outlines how these policies and restrictions have numerous adverse implications for effective HIV prevention and the promotion of human rights and public health. The restrictions prevent recipients from using best practices to prevent the spread of HIV among marginalised populations and undermine efforts to promote fundamental human rights of all persons. The broad language of the restrictions increases the risk of self-censoring or stopping effective programmes for fear of being seen as supporting or promoting prostitution. The policy exacerbates stigma and discrimination against already marginalised groups and contravenes fundamental rights to freedom of speech.

The brief requests that the US Department of Justice reconsider its interpretation on the application of the restrictions of the Global AIDS Act, ensuring that it is consistent with US and international human rights laws and public health norms. Other requests include: instituting a practice of consultation with a broad range of experts before an agency or office issues programme directives; and ensuring that all scientific and programme evidence is regularly reviewed by experienced researchers and programme managers. [adapted from author]

Available online at: www.eldis.org/go/home&id=21003&type=Document

4. Health and Human Rights

Authors: N. van Beelen, K. Butcher, B. Loff, P. Longo, C. Overs, I. Wolffers
Produced by: The Lancet (2003)

This feature consists of three separate articles that address issues around the rights of sex workers

The first piece, 'Public health and the human rights of sex workers' argues that sex workers are often seen as immoral people or as victims of unscrupulous traffickers who exploit the lack of opportunities of deprived inhabitants of mostly poor countries and that public health workers and researchers can share these attitudes. However, what should be addressed are the conditions, rather than the nature, of sex work. The authors argue that a rights-based approach and a holistic perspective of public health workers, policy makers, and researchers on sex work is crucial for improvement of the health of sex workers.

The second piece 'Can health programmes lead to mistreatment of sex workers?' looks at the WHO and UNAIDS approved 100% condom use programme policy. It outlines the perspective of the international Network of Sex Work Projects (NSWP), which is that the policy has adverse effects on respect for the human rights and health of sex workers. Rather than empowering sex workers, mandatory testing and other consequences of the programmes has been shown to be contrary to human rights and to push unsafe practices underground, making sex workers even more vulnerable.

The third piece 'Confusion between prostitution and sex trafficking' addresses latest US policy on funding of programmes for HIV/AIDS, TB and malaria. The policy juxtaposes the terms prostitution and sex trafficking and therefore, the author argues, demonstrates a belief that both share similar characteristics, and thus reflects moral ideology rather than objective reality. This is an important debate since prostitution does not necessarily occur under coercion, which defines trafficking and slavery. The author concludes by arguing that, by merging trafficking and prostitution, the agency of sex workers is overlooked. Rather than promoting opposition to prostitution we would do better to promote human rights. The right to resist being drawn into prostitution by trafficking certainly, but so too the right to work with the law's protection from harm, be it rape, violence, robbery, or other violations. [Adapted from authors]

Available online at:

www.thelancet.com/journals/lancet/section?volume=361&issue=9373§ion=Health+and+Human+Rights

5. Sex workers have rights too

Author(s): M. Seshu and M. Shivdas
Produced by: id21 health (2006)

Women sex workers have faced the worst of the HIV/AIDS epidemic in India. Although they suffer high levels of HIV infection, some programmes contribute to the stigma sex workers carry, by labelling them core transmitters of infection. Others programmes typically regard sex workers as victims with little ability to change anything.

SANGRAM - a non-governmental organisation started working with sex workers in 1992 to create a sustainable response to the HIV/AIDS epidemic. SANGRAM views sex-workers as individuals who can change their own circumstances and become agents of change. It started a peer based programme with sex workers in Sangli, Maharashtra, which includes:

- HIV/AIDS education, condom distribution, training and counselling those who are unable to persuade their clients to use condoms
- helping sex workers with sexually transmitted diseases and other health problems to access medical care and related services.

In 1996, the programme broadened into a collective of women sex workers against injustice - VAMP (Veshya Anyay Mukti Parishad). VAMP tries to build a common identity among the women and empower them to find their own solutions. It now works with more than 5,000 women, through 60 peer educators.

Available online at: www.id21.org/insights/insights64/art05.html

Other recommended readings

1. From the front line: the impact of social, legal and judicial impediments to sexual health promotion, and HIV and AIDS related care and support for males who have sex with males in Bangladesh and India

Author(s): S. Khan, A. Bondyopadhyay, K. Mulji

Published by: Naz Foundation International (2005)

This study from the Naz Foundation International (NFI) reports on the high levels of sexual violence, marginalisation and stigma experienced by males who have sex with males (MSM) in India and Bangladesh. The report finds that the primary cause of this violence is cultural gender norms rather than sexual identity, since those MSM who identify as Kothi (feminine men) are most at risk. Stigmatisation reduces the educational and other opportunities available to feminine MSM and the resulting poverty leaves some MSM dependent on sex work and vulnerable to abuse and HIV infection. The study also reports that this group experiences high levels of discrimination in accessing services, and high levels of harassment, including sexual violence, from the police.

The report recommends awareness training for the police on the issues facing MSM, and on general human rights, and working with the criminal justice system to ensure that acts of rape and sexual violence against MSM are prosecuted. A further recommendation is for educational programmes to tackle the gender norms in South Asian culture, along with the creation of practical economic supports, such as micro-credit initiatives, to empower MSM. The report also recommends advocacy work to have the Indian laws criminalising homosexuality removed.

Available online at: www.eldis.org/go/home&id=32468&type=Document

2. New data on male circumcision and HIV prevention: policy and programme Implications

Published by: WHO/UNAIDS(2007)

This technical consultation paper from the World Health Organisation (WHO) and UNAIDS reports that male circumcision has been proven to effectively reduce the transmission of HIV from women to men. However, male circumcision does not provide complete protection against HIV, and it has not been proven to reduce the transmission of the virus from men to women. Circumcision for HIV positive men is not recommended. The paper emphasises that it is important to deliver accurate information about the implications of male circumcision in relation to HIV and that programmes promoting circumcision as a HIV prevention measure should be culturally aware, respectful of human rights and aware of gender issues.

The paper recommends that programmes promoting male circumcision should now be included in the range of HIV prevention strategies but that such programmes should not be seen as a replacement for these existing strategies. These programmes should deliver clear information, aimed at both men and women, emphasising that male circumcision only offers partial protection against HIV. It also recommends that such programmes be targeted to maximise their public health benefit, and in particular programmes should be directed at regions with very high HIV prevalence and low levels of male circumcision.

Available online at: www.eldis.org/go/home&id=32470&type=Document

3. Implementing the UN learning strategy on HIV/AIDS: sixteen case studies

Published by: UNAIDS (2007)

This report from UNAIDS outlines a programme that was developed in 2003 to promote knowledge of HIV among United Nations (UN) workers. One objective of this learning strategy was to increase competence in relation to HIV

among UN staff so that they can contribute more fully to the national responses to the epidemic. The second objective was to empower UN workers to make informed decisions to protect themselves from infection. The report presents sixteen case studies describing how the learning strategy has since been implemented in different countries, and makes a number of general recommendations based on these experiences.

The report emphasises the importance of using diverse learning approaches, and adapting materials to the local context to make them relevant and interesting. This includes ensuring in advance that learning materials and information is made available in local languages. It can also include developing creative ways of involving staff member's families in the learning process. Engaging local government and non-governmental organisations, including people living with HIV, in a strategic partnership to deliver the learning strategy also ensures local relevance and promotes inclusion of UN workers in the national response to HIV. The report highlights the importance of senior management at all levels supporting the learning strategy, and also the importance of establishing a committed Learning Team in each country.

Available online at: www.eldis.org/go/topics/resource-guides/hiv-and-aids&id=32471&type=Document

4. What's culture got to do with HIV and AIDS?

Published by: Heathlink Worldwide (2007)

This paper from Healthlink Worldwide argues that developing more effective cultural approaches to HIV prevention should be a priority. The paper draws on the preliminary findings of a study co-sponsored by the United Nations Economic, Social and Cultural Organisation (UNESCO) to examine the role of culture in HIV work. The predominance of a Western biomedical model in HIV policymaking means that the use of cultural approaches is currently very limited. Where such cultural approaches are being used the emphasis is usually on delivering a message and promoting behaviour change, rather than on facilitating communication and empowerment. The paper cites the recent rise in HIV prevalence in Uganda, where there has been a strong emphasis on promoting abstinence, as evidence of the failure of the current approach.

The paper recommends that the cultural dimension of the HIV pandemic be addressed through practical action in country strategies and at field level. Donors need to become more confident about using diverse cultural approaches to HIV prevention, and move away from mass media campaigns. Different methods of monitoring and evaluation have to be developed for assessing the effectiveness of programmes that use cultural interventions. According to the paper, the existing monitoring systems only track behaviour change but other outcomes, such as increased knowledge and awareness, also need to be accounted for.

Available online at: www.eldis.org/go/home&id=32476&type=Document

5. Advocacy action plan: integration of sexual and reproductive health within the HIV and malaria components of Country Coordinated Proposals: Global Fund Round 7

Author(s): A. Doupe

Published by: Interact Worldwide (2006)

This report from Interact Worldwide outlines an advocacy strategy to increase funding for integrated sexual and reproductive health (SRH) and HIV and malaria prevention programmes. This strategy was adopted by a number of international non-governmental organisations (NGOs) and countries in 2006. It will be used to advocate for increased support for integrated programmes in Round 7 proposals to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the Global Fund).

The report outlines the two elements to this strategy. The first is to promote political commitment and demand for integration of SRH and HIV and malaria prevention at country level. This specifically includes encouraging and giving support to countries which include proposals for integrated programmes in their Country Coordinated Proposals being submitted to the Global Fund in this round of funding. Six countries have already committed to this process. The second element involves advocating for increased funding of integrated programmes at the global

policy level within the Global Fund organisation and other international agencies. The report emphasises the importance of developing an evidence base to support this advocacy strategy. It outlines a number of documents and materials that have been, or are being, prepared to achieve this.

Available online at: www.eldis.org/go/topics/resource-guides/hiv-and-aids&id=32478&type=Document

See the HIV and AIDS Resource Guide for a complete list of new additions at: www.eldis.org/go/topics/resource-guides/hiv-and-aids

Announcements

New look Eldis Health, Health Systems and HIV and AIDS Resource Guides

The new look [health](#), [health systems](#) and [HIV and AIDS](#) resource guides on Eldis, produced by the IDS health & development information team, have recently relaunched. The guides bring together and synthesise high-quality, accessible information on health and development drawn from a diversity of sources.

New features include:

- Improved navigation and more links to related resources in Eldis and elsewhere
- Better channels for users to contribute to the guides
- A more comprehensive list of health and development websites
- Regularly updated health and HIV specific events and announcements including jobs
- New look human resources for health dossier and key issues guides

Expanded section on the Millennium Development Goals and how they relate to health.

We are always pleased to hear user feedback about our side, including the recent changes and suggestions for new content for the guide. If you have any comments or would like further information, please contact [Rebecca Wolfe](#)

Training: Global Women's Leadership in HIV/AIDS Workshop, 16 July-10 August 2007, Washington, DC, USA

This is the first in a series of international, regional and country-level workshops under the new Advancing Women's Leadership and Advocacy for AIDS Action initiative. Funded by the Ford Foundation, partners include CEDPA, the UNAIDS/Global Coalition on Women and AIDS, International Center for Research on Women, International Community of Women Living with HIV and AIDS, and the National Minority AIDS Council.

The initiative will:

- equip and empower a cadre of confident, skilled and respected women advocates to advance effective HIV/AIDS policies and resources
- enhance the technical and management capabilities of women managers working to prevent the spread and mitigate the effects of AIDS through gender sensitive, community-based HIV/AIDS programmes.

For more information go to: www.eldis.org/go/topics/resource-guides/hiv-and-aids&id=31767&type=Item

Conference: 8th International Congress on AIDS in Asia and the Pacific, 19-23 August 2007, Colombo, Sri Lanka

The theme of the 8th ICAAP, scheduled to take place in Colombo, Sri Lanka, is "Waves of Change, Waves of Hope". Within the theme "Waves of Change - Waves of Hope" the 8th ICAAP aims to enhance the local, regional and global response to HIV/AIDS by creating an opportunity:

- to achieve meaningful exchanges of expertise, experiences, advances, lessons learnt, challenges faced and successes achieved in HIV/AIDS programmes
- to form meaningful and sustainable partnerships between stakeholders at all levels
- to showcase achievements and successes and share best practices
- to empower and strengthen political, community and business leadership, adopting a consultative, collaborative and participatory approach
- to ensure that communities that are infected, affected and vulnerable to HIV/AIDS and their families are free from stigmatisation, marginalisation and discrimination to promote equal access to prevention, support, treatment and care for all people.

For more information go to: www.eldis.org/go/home&id=32088&type=Item

See the complete list of new additions, announcements, job adverts at: www.eldis.org/hiv aids

The HIV and AIDS Reporter is produced by the IDS Health and Development Information team in collaboration with the DFID Health Resource Centre (HRC) and Eldis.

The IDS Health and Development Information team promotes health and equity in developing countries through the provision of high quality, accessible information to policymakers and practitioners. IDS Health and Development Information currently has three flagship products:

- Health Resource Guide - <http://www.eldis.org/health/index.htm>
- Health Systems Resource Guide - <http://www.eldis.org/healthsystems/index.htm>
- HIV and AIDS Resource Guide - <http://www.eldis.org/go/topics/resource-guides/hiv-and-aids>

The HRC provides access to technical assistance and information for the Department for International Development (DFID UK), and its partners, in support of pro-poor health policies as well as health systems, service delivery and public health topics and programmes.

Eldis currently includes descriptions and links to over 4,500 organisations and over 16,000 full-text online documents covering development and environmental issues. It can be searched or browsed free over the Internet.

You are welcome to re-use material from this bulletin on your own website, provided that it is accompanied by an acknowledgement to Eldis and a link to the Eldis website (either to our home page or to the home page of one of our Resource Guides). An alternative way to add Eldis content to your website is by adding one of our [newsfeeds](#).

If you are unable to access any of these materials online and would like to receive a copy of a document as an email attachment, please contact our editor at the email address given below.

Eldis is funded by DFID, Sida, SDC and NORAD, and hosted by the Institute of Development Studies, Sussex, UK.

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- Health Systems Reporter - to subscribe, send an email to lyris@lyris.ids.ac.uk with "subscribe eldis-healthsystems FirstName LastName" in the body

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Contact details:

Ingrid Young
IDS Health & Development Information Team
Institute of Development Studies, Sussex
Brighton BN1 9RE, UK

Email: i.young@ids.ac.uk
Tel: 44 1273 873 335
Fax: 44 1273 621202