

NSWP report on meeting with UNAIDS

— Paulo Longo, Brazil

Mr. Paulo Longo, chair of the board of the Network of Sex Work Projects is glad to share with you the report from the UNAIDS Multi-partner Consultation on Sex Work, held in Geneva, January 2003.

UNAIDS called a meeting at the Barcelona Aids Conference in July 2002 of program planners, researchers, field workers and activists to begin discussing its work on HIV care and prevention among sex workers and clients. For the NSWP this was an important opportunity to ensure that UNAIDS is aware of the NSWP's concerns about programs that sex workers see as ineffective and/or as contributing to the abuse of sex workers. The meeting was preceded by NSWP demonstrations that drew attention to the negative impact on sex workers' human rights of anti-trafficking and public health measures such as mandatory registration and examination of sex workers that are increasingly being promoted as effective approaches to HIV prevention.

The background to this schism is a lack of contact between UNAIDS and the global and regional networks of sex work projects in recent years. A relationship that had begun well at the outset of the pandemic floundered when the NSWP was unable to come to agreement with UNAIDS about the value of certain research methods and findings and the content of their best practices series including their support for anti-trafficking activities and the "100% Condom Use Policy", both of which the NSWP claims empower police and sex business owners rather than sex workers.

However it is clear that with a "new generation" of people at UNAIDS, and increased recognition that preventing HIV among sex workers is one of the keys to limiting generalized epidemics, there is potential for sex workers to help it improve the work of the various UN agencies in respect of HIV/AIDS and commercial sex.

The meeting took place in Geneva over two days (January 21-22) and the NSWP held a pre-meeting at Apasie the day before and proposed some changes to the agenda. A full list of participants will be included in the official report.

The NSWP people there were:

- Paulo Longo (NSWP, Brazil)
- Jo Doezema (NSWP, UK)
- Yodwa V. Mzaidume (Mothusimpilo Outreach Project, South Africa)
- Licia Brussa (Tampep, The Netherlands)
- Smarajit Jana (Care, Bangladesh)
- Chantawipa Noi Apisuk (Empower Foundation, Thailand)
- Jayne Arnott (Sweat, South Africa)
- Elena Kabakchieva (Sofia, Bulgaria)
- Santo Rosario (COIN, Dominican Republic)
- Bebe Loff (NSWP, Geneva)
- Cristina and Marianne (Aspasie, Geneva)
- Francoise (Cabiria, France)

- Mahbooba Mahmood (Naripokkho, Bangladesh)

NSWP goals for the meeting

- To revive its relationship with UNAIDS and develop relationships with the UN agencies co-sponsors with a view to influencing their approaches to sex work and human rights at policy and programme levels.
- To identify those areas in which UNAIDS and sex work projects and organizations have similar goals and strategies and develop ways to further strengthen that work.
- To open dialogue about the key issues related to sex work and human rights where the NSWP and UNAIDS ideas are markedly different and develop mechanisms and relationships for constructive exchanges that lead to practical solutions.

This report is based on notes from Paulo Longo, Bebe Loff, Jo Doezema and Chris Castle, Kieran Daly and Cheryl Overs of the HIV/AIDS Alliance and at the UNAIDS draft report. It is a summary of the meeting and some of the issues around it. If you are interested in participating in the global policy activities of the NSWP, or supporting sex workers involvement, including non English speakers, please contact Paulo Longo at phlongo@centroin.com.br for more information.

UNAIDS (secretariat and co-sponsors)

- Within the UNAIDS there is currently \$5 million available for sex work and they are seeking to increase this amount and to define priorities for budget allocation. It is not yet clear how the money will be used but since UNAIDS is not a donor so it is unlikely that there will be a fund to support sex work projects with grants
- They welcome concrete suggestions on what best practice to document and how it will be developed. The NSWP anticipates that the material on the UNAIDS website about sex work will be edited to be more accurate and consistent with information that was produced at this meeting.
- UNAIDS aims to have designated Sex Work Focal points in all UN agencies. And many of them were at the meeting. It was clear that most have substantial training needs and the NSWP offered to provide training and exposure to the realities of sex work to key UN staff such as these focal points.
- UNAIDS sees it's Best Practice collection as key and indeed it is the main input on sex work in much of the world.

Issues

The Best Practices series

Unfortunately the Best Practices and Technical Updates series is at the center of past differences with UNAIDS. The NSWP has regularly approached UNAIDS to suggest that it is not acceptable to produce such a large and influential body of literature on sex work without the involvement of the global and regional sex work networks.

This lack of involvement is reflected in documents that define sex work and sex workers and analyze sex workers rights, the role of the state and gender and labor rights very

differently than organized sex workers all over the world. Key information is also missing and there are several factual and technical errors including dubious epidemiological information and misinformation about law.

The NSWP didn't expect immediate agreement to remove the documents from the UNAIDS website but are confident that a review process will take place in due course and with the help of sex workers the errors will be changed and a more balanced analysis will emerge.

Migration, mobility and trafficking

This is probably the area in which there is the most work to do. It is clear that few of the UN agencies have any experience with the realities of sex worker mobility and migration and at the same time they are under enormous pressure from the "anti-trafficking" lobby and, like everyone, are exposed to the deluge of propaganda calling for increased authority for states to persecute "traffickers".

Perhaps the most problematic issue is that the dominant analysis, which is pushed emotively and supported by flimsy anecdotal evidence throughout the meeting, is that there are two kinds of migrant sex workers: on one hand women who are tricked and then forced into sex work who are viewed as legitimate victims of abuse who need and deserve help (in theory, if not in practice) and on the other hand "willing" sex workers who are therefore not abused, or whose abuse is a different issue that is a legitimate issue for the rights movement for "willing" sex workers to address.

Agencies whose work is underpinned by this dichotomy between the trafficked/abused and the willing sex worker will probably continue to promote harmful policy and programs.

See attached documents distributed at the meeting. One sets out the NSWP concerns about the trafficking discourse and the other provides an example of exactly how an anti-trafficking initiative in [Pondicherry](#), India is eroding the work of an NGO working with sex workers there. (Thanks to Melissa and Shymala for these documents.)

UNAIDS and the global and regional NSWP

Early inputs from the US and European sex workers rights movement that focused on avoiding blaming sex workers for the spread of HIV were not seen by the UN system as relevant to developing countries and later criticisms of UNAIDS policy and acceptance of certain research were similarly dismissed as "not relevant to developing countries."

To this day, even with NSWP representation from each region at the table, many of the UN staff acknowledged only those from industrialized countries as NSWP and persisted in defining the African and Asian delegates by their local affiliations even after they had introduced themselves as representing the NSWP. There were repeated insinuations from several UN staff that the NSWP promotes sex work and denies that sex workers are abused. Of course this feels very odd when some (possibly most) of us have been subject to abuse related to sex work and all of us have lifetimes of experience of working with the full range of abuses of sex workers.

Changing this institutional memory, disinformation and misunderstanding of the sex workers rights movement will be an important part of developing a relationship with UNAIDS and its co-sponsors. The new staff at UNAIDS working on sex work are well placed to do that and the NSWP is committed to supporting their efforts. However it is important to recognize the difficult background and current context in which we all work. Ideologies about gender and development that are well entrenched in the UN system and development agencies in general and they are increasingly used to advance the repressive political climate that is currently threatening sex workers rights and health.

We also recognize and value different tools. The sex workers rights movement values the voices of sex workers and demands more resources to enable sex workers from developing countries to participate fully. UNAIDS and its co-sponsors see notions of human rights and related legislation as key tools. NSWP people at the meeting were, quick to point out to UN staff who see themselves as advocates for human rights that this is useless or worse for sex workers if commercial sex is defined as a human rights abuse or as violence against women, as is often the case.

The NSWP made the point that no technical support such as financial support for translation, background briefings and travel have been contributed by UNAIDS (or any other of the agencies spending billions of dollars on HIV care and prevention) to support the participation of sex workers in policy and programming at this level. The support there has been to attain even current levels of participation of sex workers from developing countries has been provided by individuals and small NGOs. There is a clear demand that UNAIDS allocate resources from current budgets to support the NSWP's ongoing programme of supporting the participation of sex workers with appropriate technical support.

100% Condom Use Policy (CUP)

The title "100% CUP" is being used to describe a great variety of programs and policies, rather than it being one policy. It is described in the NSWP policy paper attached.

At the meeting we heard from the Thai government that the policy has functioned to prevent women selling unprotected sex in brothels and therefore reduced the epidemic in Thailand. We then heard from a Thai sex worker who had not been able to find any sex workers in Bangkok who knew about the policy or had been affected by it.

We also distributed a detailed account of sex workers experiences of the 100% CUP in Cambodia by David Lowe for the Policy Project. The report vividly illustrates the gap between the claims being made about the policy and the reality. It is not attached because it is too large but is available by contacting the NSWP.

The NSWP has complained for some time that the human rights abuses inherent in the policy in several countries are minimized and even misrepresented in the academic articles and reports from national AIDS programmes. It appears that until the demonstration in Barcelona about the 100% CUP there had been little critical analysis and no input from sex workers. It appeared that little or no information appears to reach UNAIDS about how the policy is functioning in reality — namely that police and local authorities often use the authority conferred on them by this government policy to abuse

sex workers rather than "empower them to use condoms". (Yes we know, its difficult to imagine that this could happen, but there you are!)

Although UN staff's over-reliance and seemingly uncritical acceptance of information provided by academics, government authorities and other elites in developing countries was apparent throughout the meeting, there was also clear evidence of UNAIDS willingness and commitment to work with sex work networks to change this.

This was particularly apparent in clear moves toward reformulating the as "targeted condom promotion programs" that DO involve sex workers in planning, implementation and evaluation and DO NOT involve registration or authorizing police, health workers and others to inspect both brothels and the bodies and documents of sex workers. Hopefully a new system will be developed for gathering information from the field and the NSWP offered to help develop and sustain methods of increasing the information flow from affected communities to UNAIDS and the co-sponsors.

Human rights

There is an interpretative document by the 'Committee on elimination of all forms of discrimination against women' that has two relevant general recommendations:

1. **Recommendation No.1:** Violence against women — noted that sex workers are vulnerable to violence and require special protection under the law.
2. **Recommendation No.24:** Women and health — requires stated to ensure that sex workers have access to information, education and services.

UNAIDS and several of its co-sponsors said that they will encourage the use of human rights legislation to help sex workers but the NSWP pointed out that legislation of this kind is used AGAINST sex workers, especially by the anti-trafficking lobby and others who define commercial sex as a violation of the human rights providers of sexual services.

The NSWP pointed out that it has been using human rights has a key tool for it's advocacy work and UNAIDS should seek advice from them.

The ILO suggested that the Code of Conduct on HIV/AIDS in the workplace could be adapted for use and application within sex work although this is spurious given the lack of applicability of the code. ILO, like other agencies present, seem to be unable to come to terms with the reality that all sex workers are stigmatized and discriminated against in all countries and many are abused, preferring instead to only recognize those human rights violations that apply to women who are forced to sex against their will.

Recommendations

- As a priority issue UNAIDS (and co-sponsors) need to clarify their language and working definitions of sex work and related issues.

The NSWP pointed out several examples of areas of UNAIDS analysis that should be reviewed. Examples include sex work being defined as an occupation rather than a behavior; people who do not recognize their sexual activities as

income generating should be excluded from the definition of sex worker; understandings of male and transgendered sex work need to be further developed and the idea that sex workers are either "trafficked/forced" or "willing" should be replaced with an analysis that more closely matches sex workers views and experiences and that leads to improved human rights and health for all.

- UN agencies should begin to include sex workers from global and regional networks in developing sex work policies and programs. This must be supported by adequate resources to enable full participation of sex workers networks. UNAIDS should provide grants for capacity building and technical support to the Asia Pacific Network of Sex Workers, the international NSWP, the Africa NSWP and Tampep network of migrant sex workers in Europe. (The Latin American network already receives UNAIDS funding.)
- The NGO liaison office of UNAIDS has promoted various declarations about involvement of affected communities and could now be invited to recognize the NSWP and the regional networks and encourage their official participation in all relevant forums.