

## **1<sup>ST</sup> MEETING OF THE UNAIDS ADVISORY GROUP ON HIV AND SEX WORK**

**4-6 November 2009, Palais des Nations, Geneva**

### **Note for Record**

Co-Chairs: Jenny Butler (UNFPA representing UNAIDS) and Ruth Morgan Thomas (International Committee on the Rights of Sex workers in Europe - ICRSE representing the Global Network of Sex Work Projects - NSWP).

The participants list and agenda are attached at Appendix 1 and 2 respectively.

#### **DAY 1**

##### **Overview of the history and Terms of Reference of the Advisory Group**

A brief history of the events leading to the establishment of the UNAIDS Advisory Group on HIV and Sex Work was provided followed by a discussion of the Terms of Reference (see Appendix 3), including the objectives of the Advisory Group and the key activities to be undertaken.

The primary focus of this first meeting was to outline the essential components of advice to UNAIDS on four areas of the UNAIDS Guidance Note on HIV and Sex Work requiring further clarification, and the process to develop this advice. The four areas were delineated and recorded at the 27<sup>th</sup> May 2009 meeting of NSWP Global Working Group on HIV and Sex Work Policy, UNAIDS (Secretariat and Cosponsors) and the Executive Director of UNAIDS.

The selection process for membership on the Advisory Group was described: the regional representatives were nominated by the NSWP, having been identified within the regions; the UNAIDS members were nominated by their agency; and the independent members were jointly agreed by the Co-Chairs and selected to provide independent advice and are not representatives of NSWP or UNAIDS. The exception to this is the transgender representative, who was identified by NSWP.

It was noted that the Executive Director of UNAIDS has requested that the Advisory Group be expanded to include two government representatives, to be determined by the Co-chairs in consultation with the Office of the Executive Director of UNAIDS.

##### **Recommendations:**

- It was agreed that lessons that can be learned from regional-level good practice also be included under bullet 3 of the activities in the Terms of Reference.

#### **New developments that impact upon the Advisory Group's work**

##### **The UNAIDS Joint Outcome Framework 2009-2011 - presentation**

The new UNAIDS Joint Outcome Framework 2009-2011<sup>1</sup> was issued by the Executive Director of UNAIDS, Michel Sidibé, and was warmly received by the Executive Heads of the UNAIDS agencies and the Programme Coordinating Board (PCB). It is also reflected in the Unified Budget and Work plan (UBW). Three of the nine areas in the Outcome Framework are of special interest to the Advisory Group:

- 1) Reducing sexual transmission of HIV - which will include a focus on better and more effective efforts on sex work;
- 2) Removing punitive laws, policies and practices, stigma and discrimination that block effective responses to HIV – which will include the context of sex work; and,

<sup>1</sup> Available in French, Spanish, Russian and English.

- 3) Stopping violence against women and girls – which will include the addressing of violence against sex workers.

The Outcome Areas on protecting drug users from becoming infected with HIV and ensuring treatment for people living with HIV are also relevant to some sex workers.

### **UNAIDS Second Independent Evaluation - presentation**

The final report of the 2<sup>nd</sup> Independent Evaluation of UNAIDS was released in October 2009, and the UNAIDS response to the findings are to be discussed at the PCB meeting in December 2009.

The evaluation emphasizes the need to improve the coordination structure among the co-sponsoring agencies and between the Cosponsors and the Secretariat vis-à-vis key populations. It also points out the need to provide more specific, country context-related support to countries. It is expected a Task Force on sex work, injection drug use and sex between men will be established and led by UNFPA, UNODC and UNDP. Similarly, there will be an increased focus on developing an overall strategy on partnerships with civil society.

### **The Global Fund's Sexual Orientation and Gender Identity (SOGI) Strategy - presentation.**

The Global Fund's SOGI Strategy was agreed at the Global Fund Board meeting in May 2009, and constitutes the second part of a broader Global Fund strategy on gender. Female, male and transgender sex workers are included within the SOGI Strategy as a sexual minority.

According to the Global Fund representative, 80 percent of the proposals submitted for the 9<sup>th</sup> round of GF funding address men who have sex with men and/or sex work. Of these, only half were able to give estimates of the size of these populations, and less than half were able to provide prevalence estimates for these key groups. Lack of available data is a significant impediment. Only eight percent of all Country Coordinating Mechanisms (CCM) included a member from a sex work community. Countries still need a lot of assistance to effectively address key populations. Only ten percent of proposals addressed capacity issues confronting community groups. The Global Fund representative noted that the GF would welcome further clarification of the four areas identified in the Guidance Note to support a framework of good practice to be considered when reviewing proposals.

### **Recommendations:**

1. The Advisory Group could provide advice to the Technical Review Panel on sex work-related components of proposals.
2. There is a need to develop guidance on understanding and reporting on the role of sex work within their epidemics for those drafting country proposals. The tool that is currently being developed by WHO to estimate IDU populations might serve as an example here.
3. The Advisory Group would encourage the Global Fund to increase the emphasis on transgender and disaggregate the MSM epidemiological data to better inform the implementation of the SOGI strategy.
4. The Advisory Group would encourage the Global Fund to address the lack of available data on sex workers and the urgent need to address this and better inform the implementation of the SOGI strategy.

### **MERG Monitoring and Evaluation Operational Guidelines on HIV and Sex Work - presentation**

The MERG Technical Working Group on Monitoring and Evaluation of Most at Risk Populations has been developing draft operational guidelines on HIV and sex work to complement those drafted on injection drug use and men who have sex with men. The early draft document will be sent to NSWP, in addition to other partners, asking for participation in its further development and refinement. The Advisory Group will be informed about progress and their involvement will be requested as this develops.

## DAY 2

### Overview of 4 key issues identified in the UNAIDS Guidance Note on HIV and Sex Work requiring further clarification

As reflected in the terms of reference of the Advisory Group and agreed at the 27 May 2009 meeting with the Executive Director of UNAIDS, the Guidance Note on HIV and Sex Work would not be revised, but the Advisory Group is authorised to prepare clarifying statements on some elements of the Guidance Note that would be included as short annexes to the Guidance Note when it is formally released. The four areas in which it was agreed that annexes would be developed are as follows:

1. The removal of punitive laws, policies and practices

The Guidance Note is silent on the decriminalisation of sex work. It was agreed that the recent UNAIDS Outcome Framework provides a useful reference point for developing this area.

2. Reduction of demand

The key mission of UNAIDS is HIV prevention, treatment, care and support. It was agreed that the UNAIDS focus and advice in the context of sex work should be reduction in the demand for unprotected sex. Any emphasis on reduction of the demand for paid sex could result in important resources being diverted from HIV prevention to implementing policies that are ineffective or, in the worst case, criminalise and discourage clients purchasing sexual services.

3. The conflation of human trafficking and sex work

Anti-trafficking legislation and interventions in many countries often criminalise and target the sex industry as a whole, resulting in harmful practices that may increase HIV risk and vulnerability of sex workers. There is an urgent need for UNAIDS and governments to understand and differentiate between the two, recognising that trafficking relates to coercion and deceit resulting in forced labour and is a gross violation of human rights, and sex work is consensual sex between adults which provides sex workers with a livelihood like other forms of labour.

4. Economic empowerment

There is a concern that microcredit and microfinance are often construed as promoting rehabilitation and exit from sex work strategies. It was agreed that economic empowerment of sex workers is much wider than such schemes; it enables sex workers to have agency over their own lives and should not be conditioned on exiting from sex work.

#### **Action point:**

The Advisory Group established four working groups to draft evidence-informed documents on each of the above issues.

#### **Recommendations:**

- The annexes to the Guidance Note covering these four areas will be used to inform regional and in-country consultations and trainings, recognizing that the Guidance Note itself covers many important issues that require urgent implementation.
- The clarifying annexes need to be short while providing clarity on complex issues. It was thought by the Advisory Group that they should be no more than four pages each.
- There is a need to develop a country-level implementation guide providing additional technical support.
- To develop the clarifying annexes, a process will be adopted similar to that used by the NSWP in developing its response to the 2007 Guidance Note.
- The following format will be used to ensure consistency:

- what are the issues;
- what it means/ does not mean;
- Why it is significant in relation to HIV and Universal Access;
- Good and poor practice; and
- Red flags for contentious points.

**Working groups will note the following:**

- Human rights principles need to be at the forefront of the advice.
- Working Groups may involve external experts to assist in undertaking their task, but the end result sought is not a research paper. The Annexed Guidance Note remains at the policy level, however, the inclusion of some good practice examples would assist in making the policy real.
- Linkages to the Joint Action for Results UNAIDS Outcome Framework 2009-2011 will assist in mainstreaming sex work in the work of UNAIDS and the cosponsors.

<b>ISSUE 1      Removing punitive laws, policies, and practices</b>
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**Introductory points:**

The UNAIDS Guidance Note on HIV and Sex Work does not explicitly discuss legislative frameworks or regulatory systems that impact positively and negatively on HIV and sex work.

Subsequent to the release of the Guidance Note the Executive Director of UNAIDS (Joint Programme) initiated the Joint Action for Results UNAIDS Outcome Framework 2009-2011. Outcome area 6 specifically calls for the removal of punitive laws, policies, practices, stigma and discrimination that block effective responses to AIDS. UNDP and the UNAIDS Secretariat are leading the Outcome Framework area 6 Business Case development. Sex work will be included as a key component. In addition, discussions are underway for the establishment of a small high-level Commission, led by UNDP, on punitive laws. It is expected one of the areas of work will be an evaluation of the impact of anti-trafficking laws in Cambodia. The Advisory Group will be informed of developments and possible areas for input.

**Some of the key issues around sex work needing to be addressed are:**

- understanding labour and legal frameworks;
- understanding three components of legal environments: law, law enforcement, and access to justice;
- challenging state-enforced HIV mandatory testing and services;
- an examination of the impact of decriminalisation and criminalization on Universal Access and human rights of sex workers.

**Key discussion points for the briefing paper**

- Rates of HIV infection among sex workers and their clients are higher than the general population in a number of countries, often exacerbated by punitive laws, policies and practices. Removal of such laws, policies and practices should be a priority for UNAIDS. It is urgent to remove barriers to female, male and transgender sex workers having access to high-quality human rights-based health and social services.
- Criminalising sex workers and the sex industry adversely impacts of the health and human rights of sex workers. The evaluation of the decriminalisation model in New Zealand has shown positive impacts on the health and human rights of sex workers. Decriminalisation of sex work needs to be considered for the whole sex industry, including managers and business practices.
- The criminality and exploitation surrounding criminalised sex work – organised crime, corrupt law enforcement officers and other state agents, and those who operate or are involved in coercive sex businesses – need to be removed.

- Sex work should be seen within a labour framework, including ensuring occupational health and safety standards to protect the health and human rights of sex workers. The poor working conditions of many sex workers work increases their risk and vulnerability to HIV. Sex work for most sex workers is consensual – even in circumstances of poverty. Sex work, as a legitimate means of livelihood distinguishes itself from the human rights abuses and exploitative motivation of trafficking and forced labour.
- Mandatory testing and mandatory services increase HIV risk and vulnerability of sex workers. There is a need to strengthen comprehensive approaches to health and to develop effective, human rights-based responses involving Ministries of Health & Welfare, Justice, and Labour.
- There is a need for condom literacy among policy makers and law enforcers. Punitive policies and practices where sex workers are arrested, harassed, beaten and raped for carrying condoms and where condoms are confiscated and used as evidence of criminality need to be urgently removed.

**Action point:**

- UNAIDS Secretariat requested feedback on two draft documents on decriminalisation.

**Further recommendations:**

- There is a need for further research, including rapid assessments, in some countries on punitive laws, policies and practices and their harmful impact on sex workers. It was suggested an analysis of the decriminalization of sex work in New Zealand be contrasted to models that criminalize the clients of sex workers.
- Additionally there is a need for a multi-country study in collaboration with sex worker communities to look at the different legal frameworks under which sex industries operate and how they impact upon sex workers' vulnerability.
- There is a need for rights-based occupational health and safety standards for sex work to be reviewed where they exist, and developed and implemented where they do not yet exist. There was discussion about the process required for sex work to be classified as an occupational category.
- There is a need for the development of a multi-lingual glossary of terms.
- There is a need to link with efforts around men who have sex with men, injecting drug use and people living with HIV to bolster advocacy efforts.

**ISSUE 2 Demand Reduction**

**Introductory points:**

The UNAIDS Guidance Note on HIV and Sex Work discusses addressing factors that contribute to the demand for paid sex. The Advisory Group accepted that an explicit focus on factors that contribute to demand and calls for reducing demand for paid sex could be construed as supporting an approach that criminalises the purchase of sex between consenting adults. It was agreed that of greater relevance to UNAIDS and HIV prevention is addressing the urgent need to reduce the demand for unprotected paid sex.

**Key discussion points for the briefing paper**

- Sex does not cause HIV infection. Unprotected sex and therefore unprotected paid sex can. Reducing client demand for unprotected paid sex requires urgent and immediate action and should be a priority for UNAIDS.
- Empowering sex workers should be a key strategy in reducing the demand for unprotected paid sex. In many cultures, sex workers have a greater power to negotiate condom use than wives.
- Clients need to take responsibility for their own sexual behavior and the protection of their own health, thereby protecting all their sexual partners from HIV infection. Men's attitudes to condom use need to be addressed and challenged.

- Health systems need to build the capacity of health workers at all levels and strengthen condom programming to make it more effective in protecting and promoting the health and human rights of sex workers.
- Workplace targeted initiatives, especially in male-dominated sectors, should be strengthened to address all men as potential clients of sex workers. These programmes must not focus on reducing demand for paid sex but rather promote condom use and respect for sex workers rights.
- Calling for the reduction of demand for paid sex could be interpreted as supporting the criminalization of clients and the purchasing of adult consensual sex; however, there is no evidence that such an approach will protect sex workers from HIV transmission. There is anecdotal evidence from sex workers that such approaches push sex work underground resulting in increased levels of violence and more exploitative working conditions.
- There is a strong argument that the State does not have the right to interfere, on the basis of rights to privacy, either in the purchasing or selling of sex between consenting adults. As such, the United Nations, at a minimum, should advocate against the criminalization of acts of adult consensual sex – paid or unpaid.

#### **Further recommendations:**

- It was reported by an Advisory Group member that the CEDAW Committee is requiring some governments to report on progress in reducing the number of clients of sex workers. There is a need to verify this report and explore this issue with the CEDAW Committee to ensure they understand the implications of criminalising the purchase of sexual services in relation to HIV prevention and sex workers human rights and to offer technical assistance if the Committee seeks to develop guidelines for country reporting related to sex work.
- There is a need to further explore the impact of new prevention technologies such as PREP. There is a legitimate fear (as with male circumcision) that sex workers' clients will consider that PREP and other new prevention technologies remove the necessity to use condoms. WHO, UNFPA and the UNAIDS Secretariat were specifically requested to ensure that every effort be made to safeguard the health and human rights of sex workers in any promotion of new prevention technologies.

### **ISSUE 3 Conflation of human trafficking and sex work**

#### **Introductory points:**

The UNAIDS Guidance Note on HIV and Sex Work is clear in stating that trafficking in human beings for the purposes of sexual exploitation is a gross violation of human rights. The Guidance Note defines trafficking through reference to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations (2000) Convention against Transactional Organised Crime (Palermo Protocol) and advice of the UNAIDS Reference Group on HIV and Human Rights.

The UNAIDS Guidance Note on HIV and Sex Work does not intend to implicitly or explicitly conflate the trafficking of human beings for the purposes of commercial sexual exploitation with adult consensual paid sex. A clear statement of what is sex work and what is trafficking is required and should be shared across the UN family and with donors.

#### **Key discussion points for the briefing paper**

- There have been recent examples in several countries where implementation of anti-trafficking legislation has been targeted at eradicating or disrupting the sex industry, resulting in violations of the human rights of sex workers and increasing their risk to HIV infection. The conflation of human trafficking for the purposes of sexual exploitation and sex work is harmful: non-migrant and migrant sex workers are subjected to “raid and rescue”, arrest and incarceration, even when

they have not experienced trafficking; sex workers are beaten and raped by corrupt law enforcement officers; sex workers are arrested for carrying condoms; and sex workers are denied their right to freedom of movement and to engage in consensual adult sexual activities.

- Adult consensual sex work is not human trafficking for the purposes of sexual exploitation and adults selling consensual sex are not victims of human trafficking, whether they are national or migrant sex workers. Sex work by its definition involves the agency of the individual. Trafficking by its definition removes that agency. Many people in sex work are seen as trafficked when they are not. UNAIDS Secretariat and Cosponsors must ensure these points are incorporated into their policies, programmes and advocacy.
- UNAIDS and NSWP both state strongly that human trafficking is a gross violation of human rights. Other sex work networks and organisations similarly condemn human trafficking. There is agreement that children under the age of eighteen selling sex are victims of commercial sexual exploitation and are not sex workers.
- UN Treaties are clear in defining trafficking. However, there remains constant misinterpretation of what constitutes human trafficking in relation to sex work.
- Sex workers, sex work projects and sex work networks play a significant role in combating human trafficking and child sexual abuse and exploitation within the sex industry. Sex workers know and understand sex work settings better than any other players; they are in a position to gain the trust and respect of those who may be victims; and they are best placed to provide assistance, support and appropriate referral to those who may be victims. “Raid and rescue” operations paradoxically disrupt this effective anti-trafficking work.
- There is a great deal of misinformation regarding the number of people trafficked into the sex industry.
- The conflation of trafficking for the purposes of sexual exploitation with migration and mobility among sex workers similarly heightens HIV risk and vulnerability. Migrant sex workers are denied access to services, which are available to both local sex workers and victims of trafficking. Governments abrogate their responsibility to provide undocumented and migrant sex workers with access to human rights-based HIV prevention, treatment, care and support. Migrant and mobile sex workers are frequently labelled as victims of trafficking, despite there being no evidence to support such a claim.

#### **Action point:**

- The Advisory Group request that they be kept informed of progress in discussions between the Executive Directors of UNAIDS and the United States government with regard to PEPFAR around the anti-prostitution pledge and trafficking in persons.

#### **Further recommendations:**

- There is a need for better data that provides realistic estimates and clarification about the numbers of individuals trafficked into the sex industry that does not conflate sex work and trafficking.
- The Advisory Group encourages the Global Initiative to Fight Human Trafficking (UN.GIFT) to review its programme and to remove any possible conflation of trafficking and sex work. There is a need for UN. GIFT programme to consult with UNFPA as lead agency on sex work, and NSWP as the global network of sex work projects to address concerns at the global, regional and country level that the implementation of the UN GIFT programme may contribute to undermining the health and human rights of sex workers and increasing their risk and vulnerability to HIV infection.
- There is a need for the UNAIDS Secretariat and Cosponsors involved in addressing trafficking for the purpose of sexual exploitation and sex work to confer on trafficking and sex work. The outcome of any such meeting/s would be fed back to the Advisory Group.
- There is a need for on-going and respectful dialogue between sex work and reputable anti-trafficking organizations to discuss how it may be possible to work together on implementation of the Palermo Protocol.

## DAY 3

### ISSUE 4 Economic Empowerment

#### **Introductory points:**

Sex workers have a right to economic empowerment and they have a right to define their own empowerment and reject others' definition of empowerment, including in the forms of mandatory rehabilitation and pressure to seek alternative occupations. Sex workers have the same right to self determination and agency as any other members of society.

The UNAIDS Guidance Note on HIV and Sex Work states sex workers have a right to remain in, or leave, sex work. However, most participants agreed that the focus on expanding the choices of sex workers could be interpreted as a pro-active strategy to encourage sex workers to leave sex work.

#### **Key discussion points for the briefing paper**

- Sex workers have the same rights to self determination as any other workers. Sex workers also have the same rights to access professional development through skills enhancement, training, and literacy support as other workers. Sex workers should be empowered to make their own economic decisions and exercise agency. The emphasis is not on leaving sex work but on being able to exercise agency.
- The existence of punitive laws, policies and practices in the context of sex work means that sex workers are denied access to bank accounts, loans and legal forms of credit, and pensions and other employment benefits.
- The stigma and discrimination sex workers experience from government and the community further compromise sex workers' access to banking and financial services and economic agency.
- Economic empowerment includes the need to examine how to overcome existing barriers; provide programmatic support through sex work organizations; and provide access to banking and financial services. Economic empowerment must be non-coercive and not imposed by donors or conditioned on exiting from sex work; allow for targeting of those most in need; based on the real and identified need of sex workers; increase social capital; be designed by sex workers and/or with sex workers; be supported by operational research; be appropriate to the organizational capacity of the sex worker organisation.
- Economic empowerment also means having access to, and control over, earnings and being free to dispose of those earnings, including through accumulation with full self determination. Sex workers have the same rights to banking and financial services as other workers, including credit, health insurance and pensions. However, they are too often denied these rights. Through laws prohibiting "living off the earnings" of sex work, sex workers' spouses or partners and children may also be denied these basic services. Economic empowerment includes supporting sex worker organisations to open and operate sex worker led collective lending and saving schemes, cooperatives and credit unions.
- Creating additional opportunities for sex workers need to be sex worker initiated and provide opportunities to identify their own interests; training in entrepreneurial skills and financial management; learning other skills that enable them to move on when they decide to do so; and safeguards and flexibility that prevent further debt.
- Economic security strengthens the position of sex workers to refuse unprotected paid sex; counter exploitation and violence; and to exercise greater control over their working conditions and environment.

#### **Further recommendations:**

- There is a need to determine the conditions under which loans and micro-credit, not conditioned on exiting from sex work, will be most successful in enabling sex workers to become economically empowered.
- There is a need for operational research on economic empowerment initiatives in the context of sex work.

### **Meaningful participation of sex workers in regional and national consultations and training**

A set of key principles for meaningful participation were discussed and agreed at the 27<sup>th</sup> May 2009 meeting (see Appendix IV) and should inform all UNAIDS and Cosponsors' regional and national consultations.

These include:

- Invitations to consultations are sent to NSWP and regional networks rather than to individuals in the Network to enable NSWP and regional networks to identify expert participants;
- Sex work networks and organisations select who they wish to attend UNAIDS' and Cosponsors meetings and consultations;
- There are to be equal numbers of sex workers to ensure safe spaces;
- Translation is required to maximise participation. It is noted, as a result of disparities in access to formal education, that sex workers will require translation and are not necessarily versed in United Nations English;
- Adequate lead time and a clear explanation of the objectives of the consultation be provided, as well as an explanation how the results of the consultation will be used;
- Consultations should include adequate funding to enable participation of sex worker networks and organisations in low-resource settings;
- UNAIDS should coordinate its Cosponsors as champions of the human rights of sex workers when Member State policies threaten or violate the rights of sex workers.

#### **Regional consultations:**

The UNAIDS Guidance Note with clarifying annexes will provide a foundation for regional consultations and in-country training. Meetings should not substitute for action and should only take place if they will significantly propel future action towards achieving universal access to HIV prevention, treatment, care and support for sex workers. Regional consultations should only take place if a need has been identified to explore and refine sex work policy and programming within a particular region.

- A Latin American and Caribbean Regional Consultation on HIV and Sex Work, funded by DFID, was organised in partnership with RedTraSex and RedLACTrans and 17 national governments in Peru in February 2007. However, the official report is still not available in Spanish. It was agreed that national consultations would be held in each country, to date this has occurred only in Argentina, Brazil, and Peru.
- The recent African consultation on HIV and sex work in Swaziland organised by UNFPA and WHO had limited participation of sex workers. For future meetings in the region principles of meaningful participation will be followed, as agreed with Michel Sidibé Executive Director of UNAIDS at the meeting on 27<sup>th</sup> May 2009.
- There is an Asia Regional Consultation on HIV and Sex Work being planned and co-hosted by UNFPA and APNSW in Thailand, tentatively in May 2010. An Organising Committee has been established, in line with the principles of meaningful participation, and held their first meeting in Bangkok, October 2009. Members of this Advisory Group are on the Organising Committee.

#### **Recommendations:**

- There is a need to organise further African consultation/s in collaboration with the newly formed African Alliance and sex worker organisations. There may be benefits to considering epidemiological commonalities as well as geographic proximity when organising further consultations in Africa.
- There is need for a Central and Eastern Europe and Central Asia consultation, which could be organized in collaboration with SWAN, TAMPEP and ICRSE, as sex workers in this region face significant barriers to accessing HIV prevention, treatment and care in relation to both their sex work and frequently their injecting drug use.
- Training programmes should be developed, to include UNAIDS (Cosponsors and Secretariat) staff as participants, on the implementation of the annexed Guidance Note and outcomes from the consultations.
- Investment must be made in mentoring new sex workers leaders to expand the capacity of sex workers organizations and networks to engage with international and national policymakers and programmes.
- UNAIDS (Cosponsors and Secretariat) staff should be provided with training to increase their capacity to advocate for human rights-based approaches to HIV prevention, treatment, care and support with respect to sex workers.
- The Global Fund should be encouraged to undertake community systems strengthening, and to look at sustainable funding for sex work organisations at the country level.

#### **Action point:**

It is the responsibility of all Advisory Group members to ensure that information and outcomes are disseminated to and shared within their constituent organisations.

#### **Monitoring the roll-out of the Guidance Note and its annexes**

The Advisory Group accepted that a process of monitoring implementation of policies and programmes based on the Guidance Note and its annexes needs to be established and that a small number of countries be identified and monitored through country visits. It was agreed that before countries are identified, the Advisory Group must determine the purpose of the monitoring and establish clear criteria for country selection. Criteria could include: a country's readiness to act; countries where actions are desperately needed as a result of either political or epidemiological situational analysis; comparing countries which have implemented a consolidated programmes where responses are grounded in community action and countries which have not sought to engage communities.

Due to time constraints, it was decided that the second meeting of the Advisory Group would focus on defining the purpose of the monitoring, what outcomes can realistically be expected from the monitoring process and what criteria should be used to select the countries.

#### **Presentation on AIDS Space ([www.aidspace.org](http://www.aidspace.org))**

The Advisory Group heard a presentation on AIDS Space, an online website developed and launched by UNAIDS in November 2009 for people in the HIV community. It is an informal space to network, share new ideas and communicate in the context of AIDS work. It contains a library with reference material; a "market place" to post information related to jobs, consultancies and request for proposals; and, a facility to start discussion around an issue. The Advisory Group noted the presentation and will consider the best way it can utilise AIDS Space.

#### **Priorities and next steps**

- 1) The Co-Chairs will draft minutes of this meeting and circulate to the Advisory Group for approval.
- 2) The ILO representative said she would need to consult with management before making any commitments to the next steps that participants had discussed.
- 3) Establish 4 working groups to draft clarification documents on the issues identified. Timeframes and approval processes to be finalised by Co-chairs and UNAIDS Secretariat following consultation with cosponsors. However, it is not expected that the clarification documents will require executive approval from each cosponsor.
- 4) While the initial focus of the Advisory Group is on providing advice on the four identified areas it was agreed that the many other useful parts of the Guidance Note be moved forward.
- 5) The Advisory Group needs to develop a work plan, budget proposal and funding source. The budget needs to include translation costs. Initial responsibility for this rests with the Co-Chairs with the assistance of the UNAIDS Secretariat. The Joint Programme on AIDS will include programming on HIV and sex work according to the mandate of each co-sponsor who should seek to fund activities related to the Advisory Groups workplan through their usual HIV funding streams.
- 6) There is a need for a Secretariat for the Advisory Group. This will be costed into the work plan budget. In the short term, the Co-Chairs can provide some secretariat-type support to the Advisory Group, but this is not sustainable.
- 7) Development of a process to disseminate and promote the UNAIDS Guidance Note and advice from the Advisory Group.
- 8) The purpose of regional consultation and in-country training needs to be made explicit and criteria for country selection and location need to be developed.
- 9) The purpose of monitoring the roll out of the Guidance Note (and related policies and programmes) in-country needs to be made explicit and criteria for the selection of countries identified.
- 10) Identify/develop glossary of terms, using mutually agreed language; this should be translated and disseminated widely.
- 11) Ethical research that involves the meaningful participation of sex workers beyond being simply subjects of the research should be a priority area. There is a need to move beyond opinions and anecdotes, often used as “evidence”. The impact of complex legal frameworks around sex work needs to be better understood. Additionally many of the good practice examples in sex work settings would benefit from clear documentation of results. It is recommended that community based operational research be undertaken to document emerging good practice. The Advisory Group needs to give thought to how it can best influence the commissioning of appropriate research.
- 12) Follow up with the Global Fund to determine a process for the Advisory Group to contribute to reviewing the advice provided to the Technical Review Panel in relation to sex work. The Advisory Group would be willing to help develop guidance for the preparation of proposals for the Global Fund. The Advisory Group would encourage the Global Fund to support the implementation of the SOGI strategy through the generation of better data on sex work, commensurate with analyses of data on men who have sex with men and to disaggregate the data by gender (which should also be required within the MSM data).