

## **Terms of Reference UNAIDS Advisory Group on HIV and Sex Work**

### **Background**

Representatives of the Global Working Group on HIV and Sex Work Policy (GWG), a sub-group of the Global Network of Sex Work Projects (NSWP), met with UNAIDS Secretariat and Cosponsor representatives in Geneva in May 2009 to discuss moving forward from the 2009 UNAIDS publication “Guidance Note on HIV and Sex Work”. Participants considered strategies for improving consultation and cooperation, a goal to which all parties were committed. Michel Sidibé, Executive Director of UNAIDS, joined the meeting and noted his commitment to meaningful involvement of sex workers, through global and regional networks, in the development and implementation of future UNAIDS policies, programmes and advocacy on HIV and sex work.

It was agreed at the meeting that UNAIDS’ future work on this subject would benefit from the creation of an Advisory Group on HIV and Sex Work – Co-chaired by NSWP and UNAIDS and including representatives identified and put forward by the NSWP and UN system. These terms of reference, developed jointly by representatives of the Global Working Group on HIV and Sex Work Policy and United Nations system, seek to enhance consultation on HIV and sex work between UNAIDS and sex workers.

### **Objectives of the UNAIDS Advisory Group on HIV and Sex Work**

The objective of the Advisory Group is to **support and advise** UNAIDS (Secretariat and Cosponsors) to enhance the effectiveness of the design, implementation and evaluation of UNAIDS policy, programmes, advocacy and capacity-building activities related to HIV and sex work.

### **Activities of the Advisory Group**

Activities of the Advisory Group include the following:

- To provide UNAIDS, and in particular the Executive Director of the Joint Programme, **with advice informed by human rights principles, the best available evidence and the lived experience of sex workers** on planned or existing policies, programmes, or advocacy on HIV and sex work.
- To bring emerging issues and developments related to HIV and sex work to the attention of UNAIDS Secretariat and Cosponsors for appropriate action.
- To identify and draw lessons from good practices in regional and country level design, implementation and evaluation of policies and programmes on HIV and sex work.
- To support UNAIDS in advocacy for the human rights of sex workers to universal access to HIV prevention, treatment, care and support and for strong country, regional, and global level rights-based responses toward this goal.
- To review and participate in the development of UNAIDS policy, programme or advocacy documents, or statements.

- To produce or commission papers on particular topics related to HIV and sex work and pertinent to the policy, programmes, and advocacy of UNAIDS and other international stakeholders.
- With the consensus of the group, to make public statements on issues related to UNAIDS policy, programmes, and advocacy on HIV and sex work.

### **Membership of the Advisory Group and terms of membership**

The Advisory Group will consist of 23 representatives. Eight will be regional representatives nominated by the NSWP and eight will be UN system representatives nominated in consultation with UNAIDS Global Coordinators and the Secretariat. Two national government representatives will be nominated by UNAIDS Secretariat, in consultation with the Executive Directors Office and Co-chairs. A further five representatives will be selected in consultation with constituencies and upon the consensus of the Co-chairs, with a view to ensuring an appropriate balance of both representation and technical expertise, including male and transgender sex workers. In addition, it is important that within the membership of the Advisory Group there is an informed understanding about the context in which adult sex work occurs. Advisory Group members will serve at the invitation of the UNAIDS Executive Director. UNAIDS will finance the participation of the civil society representatives.

Both UNAIDS and NSWP should seek to identify members with the following attributes:

- Demonstrable expertise and professional experience in the area of HIV and sex work, ensuring that the Advisory Group collectively has appropriate, general and sex work specific, expertise in research methods and analysis, community development and participation, and HIV prevention programming;
- Commitment to attend meetings of the Advisory Group and to devote time to ensuring that the objectives of the group are met;
- Commitment to ensuring that the work of the Advisory Group takes place in an environment of respect, professionalism and constructiveness; and
- Commitment to assisting as appropriate with mobilization of the resources needed to ensure the functioning of the Advisory Group.

Every effort will be made to ensure a balance of diversity and technical expertise within the membership of the Advisory Group.

Participation is on a volunteer basis. Civil society representatives will not be compensated for their service, though travel costs and per diem associated with in-person meetings will be provided by UNAIDS, through the Advisory Group Secretariat. However this does not preclude compensation to a civil society representative should they be contracted to perform a specified task for the working group, beyond the standard activities and involving significant amounts of time, providing that standard contracting procedures are followed. UN system representatives will be expected to cover their own costs.

Members should commit to serving a two-year term so that there is continuity in the composition of the group. The two-year term of a given member can be renewed once. After two subsequent two-year terms, a member should rotate off the Advisory Group for at least one term before being re-invited to serve. Members who experience changes in their work such that they are no longer professionally involved with issues related to HIV and sex work, or should they cease to fall within the relevant nomination category (e.g. NSWP or UN

system) should explain their situation to the Co-chairs and rotate off the Advisory Group with the consent of the Co-chairs.

By agreement between the Co-chairs, a member may be asked to leave the Advisory Group should they not actively engage in the work of the Advisory Group or upon flagrant violation of the professionalism and constructive spirit of the Advisory Group.

### **The working of the UNAIDS Advisory Group**

- 1) NSWP and UNAIDS will each nominate a Co-chair, who will jointly be responsible for the functioning of the Advisory Group and will establish an equitable system for chairing meetings, including, agenda setting, and logistics for each gathering.
- 2) The work of the Advisory Group will be guided by a biennial workplan with clearly identified annual targets, developed jointly by all members. The Co-chairs will be responsible for monitoring the implementation of the work plan and presenting it for review to the Advisory Group as required. (See Annex 1 for priorities for an initial workplan identified at the May 2009 meeting in Geneva.)
- 3) The Advisory Group should meet in person at least three times per biennium, with additional meetings by telephone conference as deemed necessary by the group to monitor and advance the workplan.
- 4) The Co-chairs will establish an agenda for each meeting based on the tasks in the workplan and any emerging issues. UNAIDS, through the Advisory Group Secretariat, will be responsible for ensuring the circulation of the agenda for comment by the members, allowing at least two weeks for review, and will finalize and disseminate the agenda before the meeting. The Co-chairs should make every effort to ensure that UNAIDS, through the Advisory Group Secretariat, can circulate readings or issue papers for a given meeting to all members at least two weeks before the meeting.
- 5) UNAIDS, through the Advisory Group Secretariat, will be responsible for ensuring that a Note for the Record of meetings – in-person or by teleconference – is drafted, reviewed by the Co-chairs, circulated to the members for review during a period of at least two weeks, before being finalized and disseminated. All Notes for the Record will be considered public documents, unless the meeting participants determine otherwise.
- 6) The Advisory Group may establish a paid Secretariat that would take on the above tasks under the supervision of the Co-chairs if deemed necessary.
- 7) The Advisory Group may convene a sub-group or sub-groups to work on well-defined issues, in which case the sub-group chairperson will, in consultation with sub-group members, develop a clear statement of the timeline and the expected products of its work.
- 8) In view of the complexity of the issues likely to come before the Advisory Group, it may not always be possible to reach consensus on every subject. Notes for the Record, recommendations and written statements from the Advisory Group will endeavour to reflect the richness of dialogues held and encompass the diversity of points of view where agreement is not reached.
- 9) The working language of the Advisory Group will be English. The Advisory Group budget should include resources for translation in cases where members are unable to participate in English.

- 10) In exceptional cases, persons may be invited to meetings as observers or guests, as visiting experts, with the consent of the Co-chairs. NSWP, at their own expense, may invite persons, as observers, from within sex worker networks for the purpose of building their capacity as policy experts in HIV and sex work.
- 11) The Global Fund to Fight AIDS, Malaria and Tuberculosis will be invited to nominate a Standing Liaison Officer, who will be invited to join the Advisory Group as an observer, to ensure effective communications between the two agencies on issues of common concern.
- 12) A quorum for officially constituted meetings of the Advisory Group will consist of half the members of the advisory group, including at least four of the UN system and four of the NSWP designated representatives.

### **ANNEX 1: The initial workplan of the Advisory Group on HIV and Sex Work**

The 27 May 2009 meeting in Geneva between the Global Working Group on HIV and Sex Work Policy and UNAIDS Secretariat and Cosponsor representatives identified a number of priorities for the early work of the Advisory Group. These include the following:

1. Drafting of further guidance or statements of clarification with respect to several issues in the UNAIDS “Guidance Note on HIV and Sex Work” where meeting participants judged that ambiguity in the document might be an impediment to achieving universal access to HIV services for sex workers, including:
  - the importance of addressing criminalisation or sex work and repressive law enforcement practices as barriers to universal access;
  - reduction of demand for sex work vs. demand for unsafe sex;
  - conflation of human trafficking and sex work (and consideration of the harmful effects on sex workers and universal access to HIV services of some anti-trafficking measures); and
  - the evidence on programmes aimed at encouraging quitting sex work and providing alternatives livelihoods with respect to universal access to HIV services.
2. Involvement in development and/or review of training or public awareness programmes for rolling out programmes and policies on HIV and sex work at regional and national levels.
3. Following the roll-out of programmes on HIV and sex work in five or six countries, including the possibility of country visits for documenting and sharing good practices.