Global Report: Findings from the community-led evaluation of the roll out of SWIT and meaningful involvement of sex workers in Indonesia, Kenya, Surinam and Ukraine

INTRODUCTION:
Sex workers are a key population in the global response to HIV, given that they are 13.5 times more likely to be living with HIV than other adults. The disproportionate burden of HIV carried by sex workers means it is urgent that countries invest in sex worker programming, but it is equally important that they invest in the right sort of programming. Implementing Comprehensive HIV/STI Programmes with Sex Workers: Practical Approaches from Collaborative Interventions also known as the Sex Worker Implementation Tool (SWIT) provides practical guidelines on how to implement rights-based HIV and STI programming with and for sex workers. It was published in October 2013 by the World Health Organization (WHO), the United Nations Population Fund (UNFPA), the Joint United Nations Programme on HIV/AIDS (UNAIDS), the Global Network of Sex Work Projects (NSWP), The World Bank and the United Nations Development Programme (UNDP).

LINKAGES/UNDP contracted with NSWP to develop and pilot a community-led evaluation framework of the roll out of the SWIT to examine the level of awareness and comprehension of the SWIT and the extent to which sex work programmes adhere to the principles highlighted in it and a framework for assessing meaningful involvement of sex workers in policy and programming forums and decision-making. These frameworks were developed in collaboration with sex workers nominated by the African Sex Workers Alliance (ASWA); Asia Pacific Network of Sex Workers (APNSW); Sex Worker Rights Advocacy Network for Central-Eastern Europe and Central Asia (SWAN); Plataforma LatinoAMérica de Personas que EjeRcen el Trabajo Sexual (PLAPERTS); Caribbean Sex Work Coalition (CSWC); colleagues from the LINKAGES and Bridging the Gaps programmes, the Global Fund, UNFPA, UNDP, WHO and UNAIDS at a Global Experts Meeting in September 2017 in Ukraine.

The evaluation and assessment framework involves conducting interviews with individuals from organisations representing five categories of stakeholders identified during the Global Expert Meeting:

1. Sex worker-led organisations
2. Non-governmental organisations (international, national and local)
3. Global Fund-supported programmes
4. Government programmes
5. United Nations agencies

The evaluation and assessment framework was piloted by OPSI in Indonesia (February 2018), KESWA in Kenya (March 2018), Chances for Life in Suriname (April 2018) and All-Ukrainian Charitable Organization Legalife-Ukraine (UCO) in Ukraine (May 2018).
COUNTRY BACKGROUNDS:

Although there is no specific law against sex work at national level, some provincial and local governments have legislated against all forms of sex work. Many provincial regulations prohibit selling sex and sex workers are penalised under public order offences. The penal code prohibits ‘facilitation, trading in women and living on the earnings of prostitution’. However, there is also a system of regulated brothels managed in some localities. The Indonesian government has recently announced plans to crack down on regulated brothels and close all designated red light areas.

The growing number of conservative groups and the rise of fundamentalism in Indonesia creates considerable challenges due to the precarious legal status of sex work in the country and make sex worker’s living and working conditions of sex workers more difficult.

Although there is no specific law against selling sex at national level in Kenya, almost all counties have laws that criminalise sex workers under soliciting and public order offences. Third parties who facilitate sex work, living on the earnings from sex work and brothel-keeping are also criminalised.

Kenya has the third largest population of people living with HIV in sub-Saharan Africa (1.2 million people) and the highest national HIV prevalence of any country outside of Southern Africa. National estimates and modelling indicate that 51% of new adult infections occur in eight of the 47 counties. Within counties, there are important variations in HIV burden, with the epidemic concentrated among key populations including female, male and transgender sex workers.

Although there is no specific law against selling sex at national level in Suriname, reports indicate that street-based sex workers are targeted by the police. Brothel-keeping and ‘pimping’ are illegal but some brothels are allowed to operate and are registered.

Suriname is a democratic republic with approximately 600,000 inhabitants, the country is currently in an economic crisis. There are three organisations working with sex workers: Liefdevolle Handen, Chances for Life and SUCOS, the latter being a recently established sex worker-led organisation.

In Ukraine, selling sex is illegal as an administrative offence, while brothel-keeping and ‘pimping’ are criminalised.

Ukraine has one of the highest rates of HIV/AIDS in Europe. According to a study from 2015, around 7% of sex workers are living with HIV, and since 2008 the predominant mode of transmission has been sexual transmission. Despite the constant effort of NGOs and governmental bodies, sex workers continue to face barriers to accessing services within the national programmes. Until recently, sex workers and other key populations were excluded from developing and implementing prevention programmes and voicing the urgent needs of their communities. Only in 2017 key population representatives were able to participate in national dialogues and working groups drafting the 2018-2020 funding proposal to the Global Fund and to elect representatives to the Country Coordinating Mechanism.
MONITORING THE ROLL OUT OF THE SWIT: Sex worker-led organisations

In Indonesia, sex worker-led organisations report having systems in place to respond to the needs or complaints from their community members as well as having secure systems to store their data.

Sex worker-led organisations report administrative and legislative barriers to implementing programmes and attributed these difficulties mainly to governmental institutions as sex worker-led organisations that are not legally registered cannot access funds from the government. In addition, one of the challenges is the lack of funding for programmes that address the needs of sex workers beyond HIV and sexually transmitted infections, such as violence which is known to increase vulnerability to HIV.

In Kenya, sex worker-led organisations from 4 countries (Busia, Kisumu, Mombasa and Nairobi) in Kenya took part in the pilot. Sex worker-led organisations do not report that they have received funding to advocate for the use of the SWIT. However, sex worker-led organisations such as BHESP and HOYMAS that already provide services report receiving increasing funding to implement rights-based services in line with SWIT.

Sex worker-led organisations through opportunities like the Sex Worker Academy Africa have learned about the SWIT and been able to share information about it that can inform advocacy for its use across Kenya.

Suriname has one sex worker-led organisation: the Surinamese Coalition of Sex Workers (SUCOS). SUCOS’s Board members report being familiar with the SWIT following several capacity building activities and having a copy of the tool in English. They report using the SWIT in their work as guidelines for intervention planning but not as a tool for advocacy. However, SUCOS intends to use the SWIT to further empower sex workers and to use it for advocacy in future.

In Ukraine, two national sex worker organisations exist. Legalife-Ukraine (UCO) participated in the pilot. Unfortunately, the representatives from League Legalife were not able to participate. Representatives from sex worker-led organisations report knowing about the SWIT and understanding it thanks to capacity building activities undertaken by Legalife-Ukraine. Legalife-Ukraine (UCO) city initiative groups have hard and soft copies of the SWIT, as well as the Smart Sex Worker’s Guide to SWIT in Russian. Sex worker-led organisations also report having received technical and financial support from international and national partners. As a result of the enhanced capacity within the sex worker-led organisations they were able to receive more funding, widen their activity in the country and secure more partners. Legalife-Ukraine (UCO) report that there is a lack of understanding and experience in implementing the SWIT among other stakeholders in the country. It is also reported that many sex workers lack knowledge and motivation to participate in decision-making. This is compounded by a fear of being exposed and the stigma and discrimination faced by sex workers as a criminalised population.

Despite existing difficulties, sex worker leaders and activists note some positive change and report that it is necessary to continue advocating for the SWIT to be adopted and implemented by all national stakeholders, as well as continuing to build the capacity of sex worker-led organisations and other stakeholders on SWIT.
MONITORING THE ROLL OUT OF THE SWIT: Non-governmental organisations

The levels of knowledge of the SWIT in Indonesia vary amongst NGOs. LINKAGES for instance know of the SWIT and 2 other Implementation Tools but do not mention the Transit. When asked to prioritise chapters, their focus themes do not match the chapters in the SWIT. NGOs in Indonesia do not advocate for the use of the SWIT externally, but they make efforts to design, implement and monitor programmes in line with this international normative guidance.

Non-governmental organisations such as ICRH-Kenya at the coastal region uses the SWIT in advocating for sex workers’ rights at local level. They report seeing the SWIT as an opportunity to strengthen sex work programming across the country. Most NGOs taking part in the interviews in Kenya, like LVCT Health Kenya and AIDS Healthcare Foundation Kenya report using the SWIT as well as the national guidelines for key populations to implement their sex work programming. NGOs in the country also report delivering programmes tailored to some of the diverse needs of sex workers, including female sex workers, migrant sex workers, sex workers living with HIV and sex workers who use drugs.

In Suriname most of these NGOs work primarily with other key population groups (men who have sex with men and transgender people), they report that some individuals in the organisations know the SWIT but that it is neither known nor applied across the organisation. It is noted by some that greater knowledge and implementation of the SWIT would be beneficial for these organisations as they provide services to sex workers who are also men who have sex with men or transgender people. However, some NGOs acknowledge their lack of knowledge of SWIT and referred cases of sex workers having tested positive to HIV to organisations that they know are more aware of it like Chances for Life - the only NGO in Suriname that reported using the SWIT in planning, implementing and monitoring programmes. An NGO working with “vulnerable women and girls” including some women and girls who sell sex reports that they are not a sex worker organisation and whilst they express that the SWIT is an effective tool, they also state that the organisation had “its own vision” that does not accept sex work as work.

Alliance for Public Health, a non-governmental organisation which is a principle-recipient in Ukraine, reports that no more than 15% of the Global Fund grant goes towards sex worker programming. A representative of the Secretary of the National Coordinating Council on Preventing HIV/AIDS in Ukraine states that for 2018-2020, 60% of the Global Fund grant is allocated towards key populations, however, only 3% of this amount is allocated for programmes for sex workers and no sex worker-led organisation received funding directly. However, both sex worker organisations received funding from principal recipients: League Legalife received funding from Alliance for Public Health for public campaigns promoting sex work law reform and Legalife-Ukraine (UCO) received funding from All-Ukrainian Network of People Living with HIV/AIDS for community mobilisation and empowerment.
MONITORING THE ROLL OUT OF THE SWIT: Global Fund-supported programmes

In Indonesia, a Country Coordinating Mechanism member representing people living with HIV and the NGO PKBI DKI Jakarta, a Global Fund sub-recipient were interviewed. The interviews reveal that while the expertise of sex workers was recognised as beneficial for programmes, relationships with the community were rather informal. Legal barriers to implementing sex worker programmes by sex worker-led organisations continue to be a challenge.

The principal recipient of the Global Fund grant in Kenya, Kenya Red Cross, took part in the interview. Kenya Red Cross engage decision makers at county level to change the laws relating to sex work and provide trainings with sex worker-led organisations and county administrative offices as well as supporting sex worker-led organisations to participate in consultative and periodic coordination meetings. They recognise that sex workers are best placed to advocate for their needs and rights. Policies and laws that directly or indirectly create barriers for sex workers accessing programmes are reported as a challenge to the implementation of rights-based sex work programming as well as the lack of clear government guidelines for the respectful treatment of key populations in government-funded facilities. However, in 2014 the SWIT was incorporated within the national guidelines in Kenya and led to the creation of a technical working group that monitors organisations and programmes to ensure they are in line with SWIT.

In Suriname, the Global Fund country coordinator who is part of the CCM took part in the interview. She is aware of the SWIT and recognises it as a useful tool for sex work programming providing insight into the challenges sex workers face. A lack of knowledge of SWIT amongst CCM member is identified and it is recognised that training on SWIT is necessary. She reports that 50% of the total amount of funding for HIV programmes supported by the Global Fund in the country is targeted to key populations’ programmes, and 50% of that amount is directed towards sex work programming. However, SUCOS, the only sex worker-led organisation in the country, is not a recipient of any funding from the Global Fund. There is an acknowledgement of the need to improve knowledge of SWIT amongst CCM members and it is also recognised that some of the SWIT principles are not adhered to as there is no funding for the sex worker-led organisation.

The Global Fund stakeholders interviewed in Ukraine are NGOs whose responses are summarised under the non-governmental organisations section of this report.

MONITORING THE ROLL OUT OF THE SWIT: Government programmes

The Ministry of Health took part in the pilot of the monitoring and assessment framework for the roll out of the SWIT in Indonesia. They affirm that service users’ data was kept locked and that medical records were confidential but are not aware about the implementation of the SWIT in Indonesia. The Ministry of Health also report that there is no internal resource for sex worker-led organisations and capacity building activities for them.

The government officials that took part in the interviews in Kenya were county Health Officials from Busia, Kisumu, Mombasa and Nairobi. Additionally, Senior Policy Officers at the AIDS control unit...
also participated. They state that policies and laws create barriers to the implementation of rights-based programmes as outlined in the SWIT. In Kenya, the lack of clear guideline on how government-funded services should work with key populations leads to informal bilateral agreements between such government-funded services and sex worker-led organisations, which can be unstable. Government-funded services include programmes on care and treatment of people living with HIV, PrEP delivery and uptake, condom and lubricant programming as well as the setting of national standards for implementing partners reporting.

The Head of the Department of Research, Planning and Monitoring of the Ministry of Health from Suriname took part in the interview. The government does not monitor whether sex work programmes implemented by NGOs in the country use the SWIT as a guideline. Unfortunately, no information is provided on funding towards sex work programming and Ministries do not align their work on sex work programming. The Ministry of Health also reports that there are no barriers to implementing sex work programmes in line with SWIT in the country but, at the same time, that there is no legislation that protects sex workers in the country.

In Ukraine, one representative from Kirovograd regional council and one representative from Kyiv city-level coordinating council on HIV prevention took part in the pilot. 4 other governmental representatives agreed to be interviewed but cancelled due to unexpected changes in work schedule, some postponed the interviews but were too late for this report. One of the representatives is familiar with the SWIT and states that the region adheres to recommendations made in the SWIT. However, the other governmental representative has no knowledge (nor hard copy) of the SWIT. Sex workers are represented at the regional council mentioned above (according to the person interviewed) and sex workers are involved in the national Council on HIV/AIDS.

**MONITORING THE ROLL OUT OF THE SWIT: United Nations agencies**

In Indonesia, representatives of the World Health Organization [WHO], the United Nations Population Fund [UNFPA], the Joint United Nations Programme on HIV/AIDS [UNAIDS] and the United Nations Development Programme [UNDP] took part in the pilot. Whilst all these organisations are aware of the SWIT, knowledge is sometimes limited to individuals rather than institutional, and is not comprehensive across the chapters of the SWIT. UNAIDS co-sponsors report focussing on the mandate of their own agency (in line with the resources available), rather than working together to ensure all components of the SWIT are advocated for and implemented, resulting in the guidelines for condom and lubricant programming not being taken on by any UN agency. UNAIDS and UNFPA report providing resources to sex worker-led organisations whilst WHO and UNDP state that they have no resource that would allow them to do so. UNFPA and UNAIDS do not advocate for resources to be allocated for SWIT implementation or capacity building but advocate for these guidelines to be used by programmes for sex workers. UNFPA advocates externally for the use of the SWIT. Different UN agencies see their roles as pushing other UN agencies to support the implementation of the SWIT or promoting it internally. UNFPA reports working on increasing solidarity in the sex worker community, whilst WHO reports pushing other UN agencies to take steps to increase solidarity within the sex worker community.
In Kenya, representatives of UNAIDS and UNFPA report continuous engagement with the sex workers’ community. The UNAIDS Country Director actively advocates for SWIT with NGOs and governmental bodies such as the National AIDS & STI Control Programme [NASCOP], the National AIDS Control Council [NACC] and the Ministry of Health. UNFPA Kenya reports having a forum where young key populations can report grievances, a representative of the national sex worker-led network sits on this Youth Advisory Committee where they advocate for full adoption and roll out of the SWIT.

In Suriname a UNFPA representative was interviewed, she reports that while staff within UNFPA are aware of the existence of the SWIT, they are not all familiar with it. There has been no capacity building workshop on SWIT organised by UNFPA since 2015 for civil society organisations. The representative recognises UNFPA’s role in advocating for the SWIT but also states that it is not being done comprehensively. While there is funding for sex workers within the Sexual and Reproductive Health Programmes it is not being allocated to sex worker-led organisations. However, the development of these programmes are informed by the SWIT. The only barrier identified for the implementation of sex worker-led programmes is the lack of resources, although UNFPA states that their current focus is on people ‘who are being forced into sex work’ and under-aged girls being forced into marriage, which is not aligned with the guidance set out in the SWIT.

In Ukraine a representative of UNAIDS took part in the pilot. He reports that UNAIDS in the country is familiar with the SWIT, uses it, advocates for its use and provides technical support to organisations on how to use the SWIT or draft funding applications for its implementation. Ukraine is one of the few countries where UNAIDS reports that the Co-Sponsors are aligned and there is a focal point for coordinating UN activities relating to sex work. Legislative barriers are reported as the main obstacle to implementing sex worker-led programmes and providing services to sex workers in the country, such barriers prevent governmental funding for rights-based programmes for sex workers aligned with the SWIT.

MEANINGFUL INVOLVEMENT ANALYSIS: Across stakeholders

In Indonesia, whilst translation and interpretation are usually available during meetings, the stakeholders’ interviews reveal that most documents are still mainly in English and not accessible to the sex worker community.

The legal and administrative barriers remain challenges to the implementation of sex worker-led programmes in the country with unrealistic requirements such as academic qualifications or years of required experience. This also affects the ability of stakeholders to recruit sex workers for their expertise.

Sex worker-led organisations report meaningful involvement of sex workers from planning, through implementation, monitoring and evaluation, management to governance while other NGOs report involving individuals on a case-by-case basis with no formal mechanisms to ensure meaningfully involvement of sex worker-led organisations. WHO reports the involvement of a sex worker-led organisation in a legal review of issues and policies related to sex work.
In Indonesia, all stakeholders that took part in the interviews recognise sex workers and sex worker-led organisations as experts in sex work-related programmes and policies. More importantly, their expertise was often taken into consideration.

The interviews reveal that most stakeholders do not have formal mechanisms for engaging with sex worker-led organisations. The pilot provides an opportunity for stakeholders to reflect on how to these mechanisms.

Sex worker-led organisations in Kenya are committed to the meaningful involvement of the sex work community. Sex worker-led organisations report that sex workers are involved in every aspect of the organisation as well as the planning, implementation and monitoring and evaluation of programmes.

NGOs are reported as sometimes reluctant to employ sex workers, but LVCT is cited as a positive example with many of their outreach workers coming from the sex worker community. Kenya Red Cross reports meaningfully involving sex worker-led organisations in development of policies and guidelines as well as design, implementation and monitoring of sex work programmes.

While UN agencies do not always engage sex worker-led organisations in line with the community’s expectations, it is recognised that there are positive interactions with and support from UNAIDS and Co-Sponsors around the SWIT. While UNAIDS and Co-Sponsors do not employ sex workers, they do recognise them as experts and support their engagement at international events. While sex worker-led organisations have been engaged and consulted, the sex worker-led organisations do not consider this to be meaningful involvement if decisions ignore the consensus expressed by the sex worker community or sex worker representatives are not included in vital decision-making processes. The sex worker representatives on the Kenya Coordinating Mechanisms have been very active in trying to keep the sex workers’ community informed about Global Fund priorities and processes.

In Suriname, most stakeholders interviewed welcome the idea of meaningful involvement of sex workers. As SUCOS is relatively new and the only sex worker-led organisation in the country, most stakeholders do not have experience in meaningfully involving the sex worker-led organisations and the interviews provide an opportunity to discuss and hopefully strengthen their relationship with stakeholders. A similar enthusiasm is expressed by the Global Fund following the election of a sex worker representative on the Country Coordinating Mechanism [CCM]. However, the representative of the Global Fund also points out a ‘cultural gap’ between representatives of the sex work community and other CCM members whilst ensuring that a budget is available to build the capacity [of the sex worker representative] to support their consultation with and feedback to the

"It's good to come up with this question to be my reflection, I'm only one year away from CCM, how can the rest of this year be more meaningful and improving"

CCM
Indonesia Country Report Card

"[Sex worker-led organisations] make sure that sex workers are involved from each and every step of running the organisation day in day out, from program design, implementation, monitoring and evaluation and leading in advocacy as well."

Sex worker-led organisations
Kenya Country Report Card

“There will be elections and the sex workers can choose their own representatives. It will be a beneficial for the other CCM board members to hear the voices from the field directly. It might be difficult for the representatives to talk openly about challenges their peers, and themselves, are facing but we can overcome this.”

Global Fund
Suriname Country Report Card
sex worker community. In Suriname, there are no formal mechanisms or agreements on how sex worker-led organisations will be engaged, and the process varied depending on the stakeholder.

In Ukraine, sex worker-led organisations do not feel there are real opportunities for meaningful involvement outside of their own organisations and are frustrated at the lack of transparent mechanisms for engagement with stakeholders, as well as the lack of resources to implement mechanisms that have been agreed. Sex worker-led organisations report that stereotypical and stigmatising attitudes towards sex workers prevail and while sex workers are told they are recognised as experts, they are not treated as such in sex work related policy forums or programmes for sex workers. An example of this was the involvement of sex workers in the drafting of the funding request to the Global Fund. Despite their involvement in a number of working groups few of their recommendations, which are based upon the SWIT, were accepted for inclusion in the proposal. Overall, sex worker-led organisations report that they do not think they have real possibilities for meaningful involvement, that there is a lack of transparent mechanisms, and that resources are not made available to support their participation in the mechanisms that are currently used.

The Global Fund stakeholders that took part in the pilot all agree that sex workers should decide who and how they are represented in national processes. They also agree that sex worker-led organisations can decide whether to participate or not in policy forums, and recognise the expertise of sex workers and that their views are as valuable as those of other stakeholders. They consistently report that the participation of sex workers in policy forums has increased in the last 5 years. However, there is no consensus among Global Fund stakeholders on whether sex workers should be involved at all levels of sex work programmes.

The government stakeholders in Ukraine are positive that sex workers decide how they are represented, how this participation is done and whether to participate or not. They state that the opinions of sex workers are considered as valuable as the ones of other stakeholders and affirmed that sex worker-led organisations are not discriminated against because of a potential lack of (formal) experience with grant application nor an unequal distribution of power in financial decisions. They state that sex workers have the possibility to participate in sex work programmes at all stages and that decision-making processes are transparent. In Ukraine, UNAIDS states that they have not encountered any case of discrimination against sex workers based on their experience or the requirements for sex worker-led organisations to receive grants.

UN agencies state that sex workers have the possibility to participate during all stage of sex work-related programmes and that sex workers are sufficiently equipped with information. In Ukraine, UNAIDS contributes to ensuring that key populations participate in the National Coordinating Council on Preventing HIV/AIDS. However, UNAIDS in Ukraine also state that the process of meaningful involvement of sex worker-led organisations can be improved by increasing the time sex worker-led organisations allocate to consultations amongst the sex worker community and state that even though clear Terms of Reference are specified before a piece of work is undertaken, some individuals appear to represent their personal interests rather than the interests of the community they are meant to represent.

“Self-organizations of sex workers do not think that they have real possibilities for a full and constructive participation. By saying that we mean the following: there is a formal possibility for participation, but there are no practical mechanisms and not enough resources to enforce that formality.”

Sex worker-led organisations
Ukraine Country Report Card
CONCLUSIONS:

Accessibility

For the SWIT to be effectively rolled out it is essential that all stakeholders have access to the full document in languages that are understood by sex workers in the country. Hard copies will be required for community members who do not have access to appropriate IT equipment for reading large documents.

The Smart Sex Worker’s Guide to the SWIT provides a more accessible document for community members, and it should be made available and disseminated by stakeholders in languages understood by sex workers in the country, including migrant sex workers who may not speak local languages.

Use of the SWIT

For the SWIT to be effectively rolled out and used there is a need for on-going capacity building across all six chapters of the SWIT for all stakeholders.

UNAIDS and cosponsors should ensure that staff at global, regional and national levels receive training on the SWIT, and other key population implementation tools, so that they can effectively advocate with governments and other stakeholders for rights-based programming for sex workers.

National and local governments should ensure that HIV and health strategic plans are aligned to the SWIT and that sex worker programmes implemented by the government respect the international normative guidance provided by the SWIT.

Non-governmental organisations, national and international, should ensure their programmes are aligned with the SWIT, and that the services provided are responding to the needs and priorities identified by sex workers.

Sex worker-led organisations should ensure that their members are aware of the SWIT and are supported in monitoring the implementation of all six chapters in the SWIT and advocating for improvements in the alignment of services they receive with the SWIT.

Meaningful involvement of sex workers

Sex workers and sex worker-led organisations are still not always recognised as experts by other stakeholders, which creates barriers to their meaningful involvement in design, development, implementation, management, monitoring and evaluation of programmes.

UNAIDS and cosponsors should ensure that sex worker-led organisations are informed about their work related to the SWIT and are engaged as experts when they implement capacity building programmes.

Governments should explore ways of funding sex worker-led organisations to deliver services.

Non-governmental organisations should explore ways of building the capacity of sex worker-led organisations, and ensure they initiate power-sharing so that the sex worker community will eventually be able to deliver its own services.