Violence and Harassment against Sex Workers

Violence Addressing Mechanisms

An e-tutorial

You will be assessed only for the post-test that you will find at the end of the learning module. The pass percentage for certification is 80%.

Send in your answers at

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From

India Learning Network- Bridge Project
Content

Pre-test questions

1. Violence and harassment experienced by women in sex work
2. The correlation between the violence faced by women in sex work to HIV/AIDS
3. Project Samvedna-Karnataka state experience of addressing violence faced by women in sex work
4. Mechanism to address violence faced by female sex workers

Post-test questions
PRE- TEST QUESTIONS:

1. The perpetrators of violence on women who are sex workers include
   a. the police
   b. the pimps and brothel owners
   c. other women who are sex workers
   d. family members, intimate partners, neighbours, clients, police, lawyers, judges, pimps, brothel owners, goons and other women who are sex workers.

2. Sexual Violence faced by women in sex work includes
   a. Being physically forced to engage in sex, or to perform or be subjected to sex acts against one’s will or that person finds degrading or humiliating.
   b. Being psychologically intimidated to engage in sex, or to perform or be subjected to sex acts against one’s will or that person finds degrading
   c. Rape, gang rape and sexual harassment.
   d. All of them

3. One of the factors behind violence experienced by women in sex work is their own denial of it and considering it as something ‘abnormal’/ ‘normal’ (choose) and accepting it as ‘part of the job.’

4. Violence against women increases their risk of infection with HIV
   a. through direct transmission
   b. through creating an environment of fear in which women do not have access to condoms, information on HIV prevention and other health services, or are prevented from using condoms for any reason
   c. through instances of rape by men who have high-risk behaviours
   d. All of the above

5. Factors behind the violence against women who are sex workers include
   a. Stigmatization of sex work
   b. Discrimination based on HIV status
   c. Laws governing prostitution and criminalization of sex work
   d. All of them
1. VIOLENCE AND HARASSMENT EXPERIENCED BY WOMEN IN SEX WORK

1.1 Definition of Violence Against Women

Wikipedia defines violence against women (VAW) as a collective term to refer to violent acts that are primarily or exclusively committed against women expressly because they are women, or as a result of patriarchal gender constructs. In other words, violence against women is a type which is gender-based meaning the violence targets a specific group with the victim’s gender as a primary motive.

According to the UN Declaration on the Elimination of Violence Against Women –

“Violence against women is a manifestation of historically unequal power relations between men and women” and that “violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.”

“At least one out of every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime with the abuser usually someone known to her,” said Kofi Annan, Secretary-General of the United Nations in a report on the United Nations Development Fund for Women (UNIFEM) in 2006.

What makes this gender-based violence most widely spread is the social tolerance of this violation of human rights stemming from unequal power relations between men and women.

1.2 Violence and harassment against women in sex work: the types of violence, identity of the aggressor and factors behind it.

Sex workers face many forms of violence, including physical, sexual, verbal, psychological and emotional violence. The perpetrators include family members, neighbours, husband, intimate partner, clients, law enforcement like the police, lawyers and judges, pimps, brothel owners, goons, media personnel and even co-sex workers.

The types of violence include:

(a) **Physical violence**: being subjected to physical force which may cause death, injury or harm. It includes being slapped, pushed, shoved, hit, kicked, dragged,
beaten, choked, burnt, threatened or assaulted with a weapon, biting, shaking, poking, hair pulling and physically restraining the person. These acts are operationally defined and validated in WHO survey methods on violence against women.

(b) **Sexual Violence:** being physically forced or psychologically intimidated to engage in sex, or to perform or be subjected to sex acts against one's will (e.g. undesired touching, oral, anal or vaginal penetration with penis or with an object) or that person finds degrading or humiliating. It includes rape, gang rape and sexual harassment.

(c) **Psychological or emotional violence:** being made to feel bad about oneself, threatened, or afraid. It includes being insulted (e.g. called derogatory names) or made to feel bad about oneself; being humiliated or belittled in front of other people; being threatened with loss of custody of one's children; being confined or isolated from family or friends; being threatened with harm to oneself or someone one cares about; repeated shouting, inducing fear through intimidating words or gestures; controlling behaviour; and the destruction of possessions.

(d) **Human Rights violations:** that should be considered in conjunction with violence against sex workers include having money extorted, being denied or refused food or other basic necessities, being forced to consume drugs or alcohol, being arbitrarily stopped, subjected to invasive body searches or detained by police, being arbitrarily detained or incarcerated in police stations, detention centres and rehabilitation centres without due process, being arrested or threatened with arrest for carrying condoms, being refused or denied health-care services, being subjected to coercive health procedures such as forced STI and HIV testing, sterilization, abortions, being publicly shamed or degraded (e.g. stripped, chained, spat upon, put behind bars) or being deprived of sleep by force.

(e) **Violence from intimate partners and family members:** Stigmatization of sex work may lead partners or family members to think it acceptable to use violence to “punish” a woman who has sex with other men. It may be difficult for sex workers to leave an abusive relationship, particularly when perpetrators threaten them, or have control due to ownership of a home, or the power to harm or refuse access to their children.

‘**My lover has a relationship with another woman who stays close by. I am with him for the last 10 years and have 2 children from him. When she came to know about me, she confronted him that resulted in a big quarrel among them. He burnt her with cigarette butts and if I ask him about her, he beats me too.**’

‘**I had a major operation sometime back. Doctors advised abstinence for 6 months. But my partner did not pay heed and had sex with me for 3 months. I have now developed an infection and had to undergo another operation.**’
1.3 Factors behind the violence
Violence experienced by sex workers is a manifestation of the stigma of sex work and discrimination based on HIV status, drug use or other factors. In all societies, sex work is highly stigmatized and sex workers are often subjected to blame, labelling, disapproval and discriminatory treatment.

Laws governing prostitution and law enforcement authorities play a key role in the violence experienced by sex workers. In most countries sex work is considered illegal or has an ambiguous legal status (e.g. prostitution is not illegal but procurement of sex workers and soliciting in public is illegal). Sex workers are therefore, frequently regarded as easy targets for harassment and violence for several reasons. The so-called moral policing holds them as immoral and deserving of punishment.

Criminalization of sex work contributes to an environment in which, violence against sex workers is tolerated, leaving them less likely to be protected from it.

Many sex workers themselves consider violence ‘normal’ or ‘part of the job’ and do not have information on their rights.

As a result, they are often reluctant to report incidences of rape, attempted and actual murder, beatings, molestation, sexual assault, to the authorities. Even when they do report, their claims are often dismissed.

In India, 70% of sex workers in a survey reported being beaten by the police and more than 80% had been arrested without evidence. In the state of Karnataka, around 26.4% of sex workers had reported having beaten or raped in the past year.

1.4 Consequences of violence
Women who face violence in adulthood are vulnerable to short and long-term psychological consequences. Immediate distress may include shock, fear, anxiety, confusion, and social withdrawal (Herman, 1992). Survivors may also experience some PTSD symptoms shortly after a violent act has occurred, such as emotional detachment, flashbacks, and sleeping problems (Rothbaum, 1992).

Violence has a direct and indirect bearing on sex workers’ ability to protect themselves from HIV and maintain good sexual health. The violence and harassment affects their access to health services and practice of safe sex. It violates their dignity when sex is forced upon them by clients. Many clients refuse use of condoms or force sex without wearing one, making these sex workers highly vulnerable. When pushed to approach the law enforcement agencies viz the police, lawyers and judges, it is found that most of them are discriminatory and the violence against them ensues. Their dignity is tarnished when they are beaten, abused, raped or molested by clients or police causing further stigma and discrimination.

2. THE CORRELATION BETWEEN VIOLENCE FACED BY WOMEN IN SEX WORK AND HIV/AIDS
Violence against women, in particularly, those who are in sex work contributes to the
spread of HIV in complex and multiple ways. Violence against women increases their risk of infection through direct transmission, but also by creating an environment of fear in which women are unable to protect themselves.

UNAIDS Guidance on HIV and Sex Work (2009) and Agenda for Action on Women and Girls and Gender Equality (2009) emphasize the link between violence and HIV vulnerability, and the critical importance of protecting sex workers from violence, coercion, and abuse. Women in sex work experience particularly high levels of violence which increase their risk of sexually transmitted infections (STIs) and HIV, partly by diminishing condom use.

Owing to the violation the women in sex work do not have access to condoms, information on HIV prevention and other health services, or are prevented from using condoms for any reason, making them unable to protect themselves and increasing their risk and vulnerability to HIV infection. Rape by men who have high-risk behaviours can directly increase their risk of becoming infected with HIV through vaginal trauma and lacerations.

Addressing violence against sex workers, though complex, is considered as an essential part of HIV prevention programmes. While designing a violence prevention programme it is important to collect information on the local patterns of violence, engage sex workers in designing the programmes to better meet their needs, engage sex workers in decision making positions, use multiple entry points, including health, law enforcement, or even judiciary, and be cognizant of unintended consequences which may increase violence against sex workers.

3. PROJECT SAMVEDNA-KARNATAKA STATE EXPERIENCE OF ADDRESSING VIOLENCE FACED BY WOMEN IN SEX WORK

Project Samvedana, a Karnataka Health Promotion Trust (KHPT) project, funded by United Nations Trust Fund to End Violence Against Women (UNTFEVAW), works in Karnataka state in India to address violence against women in sex work, embedding the programme within the existing HIV prevention programme.

The project partners with sex work structures, Community Based Organizations (CBOs), Department of Police, Judiciary, Women and Child Development (W&CD) and Health, and media at the block, district and state levels

a) to create awareness on the issues of violence and its interface with HIV among women in sex work, intimate partners, families of the community members and service providers
b) to improve access to services of health, legal, justice, protection, police etc, free from stigma and discrimination for the women in need
c) to increase the coordination amongst and within civil society, CBOs and government entities working to address the intersection of violence against women and HIV.

Project Samvedna builds capacity of the CBOs and leaders of the community, building consciousness among the sex workers on violence as a human rights violation issue, strengthens the violence response system, sensitzes and trains
police, media, judges and lawyers, builds alliances with civil society organizations/movements in Karnataka, state and district level campaigns on violence against women, links women to existing support structures and services of counselling, legal aid, entitlements, micro finance, and livelihood options through state, NGO and CBOs.

‘Samvedna’ means compassion.

4. MECHANISMS TO ADDRESS VIOLENCE FACED BY WOMEN IN SEX

There is a growing recognition that HIV prevention policies and programmes focusing on sex workers must incorporate violence prevention strategies. Some of the most successful sex work interventions have been led and run by sex workers and have allowed them to organize themselves for their own safety. Such an approach also frames HIV risk reduction and violence prevention within a broader context of occupational health, improving working conditions and enabling sex workers to have labour rights.

The strategies include:

(a) Community Empowerment: Building critical consciousness among the sex workers on violence as a human rights violation issue and creating awareness on the issues of violence and its interface with HIV among the women in sex work, intimate partners, families and service providers. Sex workers are empowered through group sessions in which they critically reflect on their rights, violence they experience, and the root causes of such violence. These sessions, in India are led by trained peer educators who receive training from master trainers at the district level. These group discussions also build solidarity among sex workers to
challenge violence and seek justice. Besides this, it includes capacity building of the leaders in the community.

(b) **Advocacy**: Sensitization and training of the police, media, judiciary, legal and other service providers, and advocacy with power structures and stakeholders is a key strategy for violence prevention and mitigation. Sensitization with police and law enforcement agencies takes place to end harassment and violation of their rights of sex workers at their hands. The major goal of advocacy is to ensure that state institutions refrain from using violence against women in sex work, influencing policy with reference to decriminalization and advocate just practices in enforcing law without resorting to violence.

(c) **Crisis Response System**: To mitigate violence and provide sex workers with around-the-clock crisis assistance, Project Samvedna facilitated the formation of a crisis management team with 4-7 community members. A helpline phone number for the sex workers to call in crisis/violence, was made popular via the peer educators. Initially sex workers called only to report violence from police but over time, the crisis management team won the confidence of the community which began reporting violence faced by family members and others. The DICs run by the CBOs offer safe space for women who are sex workers to discuss problems and share experiences and solutions.

(d) **Provision of services to sex workers**: Strengthening support mechanisms for the women in sex work by linking to existing support structures and services through state, NGOs and CBOs including counselling, legal aid, entitlements, micro finance and livelihood options. Besides the medical care, sex workers receive counselling on the advantages and disadvantages of seeking justice through the courts.

(e) **Integrated response to address the intersection of violence against women in sex work and HIV**: Building alliance with other civil society organizations, campaigns, media, lawyers, organizations working on violence against women to address the intersection of violence against women in sex work and HIV.
POST TEST QUESTIONS:

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   a. through direct transmission
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   a. Stigmatization of sex work
   b. Discrimination based on HIV status
   c. Laws governing prostitution and criminalization of sex work
   d. All of them