

HIV AND YOUNG PEOPLE WHO SELL SEX



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A TECHNICAL BRIEF

HIV AND YOUNG PEOPLE WHO SELL SEX



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GLOSSARY

Definitions of some terms used in this technical brief

Children are people below the age of 18 years, unless, under the law applicable to the child, majority is attained earlier⁽¹⁾.

Adolescents are people aged 10–19 years⁽²⁾.

Young people are those aged 10–24 years⁽³⁾.

“Young people who sell sex” in this document refers to people 10–24 years of age, including children 10–17 years who are sexually exploited and adults 18–24 years who are sex workers.

While this technical brief uses age categories currently employed by the United Nations and the World Health Organization (WHO), it is acknowledged that the rate of physical and emotional maturation of young people varies widely within each category⁽⁴⁾. The United Nations Convention on the Rights of the Child - CRC (see Annex 1) recognizes the concept of the evolving capacities of the child, stating in Article 5 that direction and guidance, provided by parents or others with responsibility for the child, must take into account the capacities of the child to exercise rights on his or her own behalf.

Key populations: Key populations are defined groups who due to specific higher-risk behaviours are at increased risk of HIV, irrespective of the epidemic type or local context. They often have legal and social issues related to their behaviours that increase their vulnerability to HIV. The five key populations are men who have sex with men, people who inject drugs, people in prisons and other closed settings, sex workers, and transgender people⁽⁵⁾.

Sex workers and sex work: Sex workers include female, male and transgender adults (18 years of age and above) who receive money or goods in exchange for sexual services, either regularly or occasionally. Sex work is consensual sex between adults, can take many forms, and varies between and within countries and communities. Sex work may vary in the degree to which it is “formal”, or organized⁽⁶⁾.

“Sex work” is used in this technical brief when referring exclusively to adults aged 18 years or older. When referring to those below the age of 18, including 10–17 years olds, reference is made to sexual exploitation of children, in accordance with article 34 of the Convention on the Rights of the Child which ensures the protection of all children from all forms of sexual exploitation and sexual abuse (see more information in Annex 1).

Young people who sell sex: The term used in this document “young people who sell sex” refers to people 10-24 years of age, including children 10–17 years who are sexually exploited and 18–24 year old adults who are sex workers.

Sexual exploitation of children: The sexual exploitation of children includes the exploitative use of children in prostitution, defined under Article 2 of the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography (2000) as “the use of a child in sexual activities for remuneration or any other form of consideration”. The particular rights of all children, including sexually exploited children, are detailed in Annex 1 below.

Sexual abuse of children¹: The sexual abuse of children overlaps with the sexual exploitation of children. Child sexual abuse, as defined by the WHO, includes “the involvement of a child in sexual activity that he or she does not fully comprehend, is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violates the laws or social taboos of society.” Children can be sexually abused by adults or other children who are – by virtue of their age or stage of development – in a position of responsibility, trust or power, over the survivor⁽¹⁾.

¹ This technical brief does not address sexual abuse of children

INTRODUCTION

Young people aged 10–24 years constitute one-quarter of the world's population,⁽⁷⁾ and they are among those most affected by the global epidemic of human immunodeficiency virus (HIV). In 2013, an estimated 4.96 million people aged 10–24 years were living with HIV, and young people aged 15–24 years accounted for an estimated 35% of all new infections worldwide in people over 15 years of age.⁽⁸⁾

Key populations at higher risk of HIV include sex workers of all genders, men who have sex with men (MSM), transgender people, and people who inject drugs. Young people who belong to one or more of these key populations – or who engage in activities associated with these populations – are made especially vulnerable to HIV by widespread discrimination, stigma and violence, combined with the particular vulnerabilities of youth, power imbalances in relationships and, sometimes, alienation from family and friends. These factors increase the risk that they may engage – willingly or not – in behaviours that put them at risk of HIV, such as frequent unprotected sex and the sharing of needles and syringes to inject drugs.

Governments have a legal obligation to respect, protect and fulfil the rights of children to life, health and

development, and indeed, societies share an ethical duty to ensure this for all young people. This includes taking steps to lower their risk of acquiring HIV, while developing and strengthening protective systems to reduce their vulnerability. However, in many cases, young people from key populations are made more vulnerable by policies and laws that demean, criminalize or penalize them or their behaviours, and by education and health systems that ignore or reject them and that fail to provide the information and services, including treatment they need to keep themselves safe.

The global response to HIV largely neglects young key populations. Governments and donors fail to adequately fund research, prevention, treatment and care for them. HIV service-providers are often poorly equipped to serve young key populations, while the staff of programmes for young people may lack the sensitivity, skills and knowledge to work specifically with members of key populations.

It has long been acknowledged that sex workers – female, male and transgender – are at high risk of HIV exposure, especially in low- and middle-income countries.⁽⁹⁾ This is due in part to a high number of sexual partners and working environment which is not conducive to sex workers' being able to protect their health and the health of their clients, including widespread criminalisation of sex work, violence perpetrated by both state and non-state actors and extreme levels of stigma and discrimination. The social and structural factors already noted also play an important role. Studies of young people who sell sex suggest that they may be even more vulnerable to HIV than their older counterparts for reasons including a greater number of sexual partners, less power to negotiate condom use, and greater susceptibility to violence.^(10, 11, 12, 13, 14, 15)



Young people who sell sex may be even more vulnerable to HIV than their older counterparts for reasons including a greater number of sexual partners, less power to negotiate condom use,

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