POLICY ANALYSIS AND ADVOCACY DECISION MODEL FOR HIV-RELATED SERVICES

MALES WHO HAVE SEX WITH MALES, TRANSGENDER PEOPLE, AND SEX WORKERS

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Males Who Have Sex with Males, Transgender People, and Sex Workers

The Decision Model in West Africa

Burkina Faso

When: February–March 2012

Who: AWARE II principal investigator and a team of local experts

Policy Analysis: Document review and policy analysis of 102 source policy and program documents and previous policy and program research related to HIV and/or key populations

Policy environment, dissemination, and implementation analysis: 17 key informant interviews and post-analysis validation meetings

Togo

When: June–July 2013

Who: HPP principal investigator, AMSHeR legal expert, and team of local experts

Policy Analysis: Document review and policy analysis of 116 source policy and program documents and previous policy and program research related to HIV and/or key populations

Policy environment, dissemination, and implementation analysis: 21 key informant interviews and post-analysis validation meetings

Assessing Policy Barriers to HIV-Related Services

Males who have sex with males (MSM), transgender (TG) people, and sex workers (SWs) are at higher risk for HIV transmission than other individuals, even in generalized epidemics. Structural and policy issues have created barriers for MSM/TG/SW in seeking services and adopting individual and community harm reduction strategies. The *Policy Analysis and Advocacy Decision Model for HIV-Related Services: Males Who Have Sex with Males, Transgender People, and Sex Workers*, published by the Health Policy Project and AMSHeR (African Men for Sexual Health and Rights) with support from USAID and PEPFAR, is a collection of tools that helps users assess and address policy barriers that restrict access to HIV-related services for MSM/TG/SW.

Designed to help country stakeholders build a public policy foundation that supports access to and implementation and scale-up of evidence-informed services for MSM/TG/SW, the decision model helps to clearly identify and address policy barriers to services. Its policy inventory and analysis tools draw from the extensive body of international laws, agreements, standards, and best practices related to MSM/TG/SW services, allowing the assessment of a specific country policy environment in relation to these standards. This customizable, in-depth, and standardized approach will build stakeholders' capacity to identify incremental, feasible, near-term opportunities to improve the legal environment and the resulting quality of and access to services for MSM/TG/SW while long-term human rights strategies are implemented.

West Africa: The Enabling Environment

Even when legislation does not criminalize sex work, gender nonconformity, or same-sex sexual behavior, individuals who engage, or are perceived to engage, in these activities are often treated as criminals, even if they commit no crimes and inflict no harm to others. A pervasive environment of formal or informal stigmatization and discrimination leads to violations of human rights; facilitates abuse, violence, and extortion; and creates barriers to seeking services.

In many developing countries, these issues are exacerbated by broader structural factors such as weak judicial systems, corruption and lack of accountability of law enforcement, and stigma and intolerance among the general population.

Table 1. Examples of Policy Gaps in Burkina Faso and Togo

POLICY ISSUE	BURKINA FASO	TOGO
Policy requires data collection and disaggregated reporting for MSM and SWs	Policies needed	Policy exists
Water-based Lubricant (WBL)	Policies needed *only mentioned in National Strategic Framework for HIV and AIDS	Policies needed *Indicators for the distribution of condoms/ lubricant but no other policies
Prison policy	Policies needed	Policies needed *Prison policy dates to 1933
Sexually transmitted infection (STI) testing for MSM	Policy needed	Policy exists
Policy to offer free STI kits for SWs	Policy exists	Policy needed
Policy requires engagement of MSM/ SW and/or NGOs comprised of MSM/SW in HIV, STI, or SRH policy/ program development, implementation, or monitoring	Policies needed	Policies needed
Policy outline services and protocols for HIV prevention and treatment for MSM and/or SWs	Policies needed	Policies needed *Services outlined but there are no protocols
Policy requires health providers receive training to address needs of MSM/ SW, including stigma and discrimination	Policy needed	Policy needed
HIV programs have a designated budget line item for MSM/SW in the national budget	Policy needed	Policy needed

Table 2. Examples of Policy Barriers in Burkina Faso and Togo

POLICY ISSUE	BURKINA FASO	TOGO
Criminalization of same-sex sexual acts, sex work, and/ or soliciting	Soliciting criminalized	Soliciting and "acts against nature" (same-sex sexual acts) criminalized
Consent for HIV testing and counseling (HTC)	Public health law allows providers to test for HIV without counseling or consent in health screening of ill patients	Public health law subjects SWs to mandatory medical supervision and allows providers to treat non-consenting patients "to save their life"
Parental consent of minors for HTC	Misaligned policies around age of consent (different ages in different policies)	Misaligned policies around age of consent (different ages in different policies)

For more information

- The *Journal of Aquired Immune Deficiency Syndromes* article is available at http://journals.lww.com/jaids/Fulltext/2015/03011/Assessment_of_Policy_and_Access_to_HIV_Prevention,.16.aspx

- The *AWARE II: Assessment of Gaps in Policies, Policy Implementation and Programs for Key Populations* is available at http://www.futuresgroup.com/resources/publications/aware_ii_assessment_of_gaps_in_policies_policy_implementation_and_programs

- The *Policy Analysis for Key Populations at Risk of HIV Infection in Togo*, available at http://www.healthpolicyproject.com/index.cfm?id=publications&get=pubID&pubID=233

- The *Policy Analysis and Advocacy Decision Model for HIV-Related Services: Males Who Have Sex with Males, Transgender People, and Sex Workers* is available in English.

- The *Policy Analysis and Advocacy Decision Model for HIV-Related Services: People Who Inject Drugs*, a companion publication, is available in English and Russian.

- To download either decision model please visit www.healthpolicyproject.com/t/HIVPolicyModels.com.