

'TARA BANDU', SOCIAL VALUES AND SEX WORK: THE INTERPLAY OF TRADITIONAL JUSTICE, SOCIETY AND HIV/STI PROGRAMMING FOR SEX WORKERS IN TIMOR-LESTE



Supporting the HIV, Viral Hepatitis and Sexual Health Workforce

Implementing partners



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Background

- Timor-Leste: young southeast Asian nation (formal independence in 2002)
- Low income classification but rapidly growing economy - predominately oil and gas revenue
- 60% of population under 25 years of age
- Significant developmental challenges but some progress against key development indicators



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Background (cont...)

- Low-level HIV epidemic (<1% general prevalence), but evidence of concentrated epidemics forming in some sub-populations
 - FSW: 1.5% (2011)
 - MSM: 1.3% (2011)
- Significant Hepatitis B burden:
 - FSW: 8.3% (2011)
 - MSM: 10.2% (2011)
- Insufficient data for Syphilis/Chlamydia to generate population estimates

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Background (cont...)

- 'Dual' legal status of sex work: Sex work is legal, but laws exist against 'organising' of sex work and against sex trafficking
- These laws are reportedly used by law enforcement against sex workers (including persecution and imprisonment)

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Project description

- Undertaken as part of national size estimation of key populations (FSW, MSM, PWUD)
- Data collection August to December 2014

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Methods

- Qualitative methodology drawing on ethnographic approaches
- Key informants (i.e. FSW) and relevant secondary informants (police, community leaders) recruited through purposive sampling
- Semi-structured interviews undertaken using hand-subscribed field notes with key quotations recorded *verbatim*
- Notes and transcripts were translated reflexively by interviewer from source language

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Methods (cont...)

- Data were analysed by co-investigator with involvement of the interviewer (a local researcher well-connected to the population) using an inductive thematic analysis approach
- Common themes and discrepant cases were coded with attention to the participants' reported experiences and key events



Results

- 24 participants, comprising:
 - 13 FSW in 8 districts
 - 11 secondary informants in six districts (inc. border police, community leaders, NGO reps.)



Results

Community acceptance

- Mixed experiences by FSW in different areas
- Some FSW participants reported a 'live and let live' attitude to their work within the community:

'The community is not so bothered about what sex workers are doing because they say it is [our] own lives. They [the community] realises that this is how we live and sustain our lives [...] this is how we afford to buy things for our family' (FSW informant)



Results

Community acceptance

- More often, FSW reported non-acceptance, with shame often associated with sex work:

'[They say to me], "you're a good girl, why do you become a whore?" [They say,] "if you do this, your younger sisters will do the same thing" [...] the community feels shame [about my behaviour] because it brings down the dignity of the community' (FSW informant)

- One community leader: *'If I know of any sex workers in my area, I will ask them to leave. It will destroy the future of young men and married couples'*



Results

Law enforcement

- In less urbanised settings, informants generally reported acceptance from law enforcement. Said one: *'they [the police] say unless you have sex in public, it's OK. We do it in private so it's OK'*
- In urbanised settings such as the capital, Dili, police reportedly sometimes acted as 'bodyguards' for FSW (providing security but potentially placing FSW in position of vulnerability)



Results

Law enforcement

- Given the 'dual' legal status of sex work in Timor-Leste, FSW are reportedly subject to crackdowns from police. Said one informant, 'police and military are some of the ones who make a lot of violence against sex workers'.



Results

Tara bandu

- *Tara bandu* (lit.: 'to place a ban') is a form of traditional law used to regulate 'undesirable' behaviours
 - E.g. burning public land without permission; domestic violence
- In recent years, *tara bandu* have been placed to protect women from discrimination, violence and/or sexual abuse
- As reported by informants, these *tara bandu* promoting human and gender rights have been interpreted by local leaders as a means to repress sex work



Results

Tara bandu

- One community leader explained that if sex work occurred within his jurisdiction, 'the woman is charged \$1,000 [USD] and some buffalos' This fragile social space can reportedly lead FSW to be vulnerable to blackmail and coercion



Conclusions

- Even in a relatively small context such as Timor-Leste, a large variation was reported in the degree to which sex work was accepted – socially, culturally and by law enforcement
- '*Tara bandu*' situation highlights difficulties in using traditional justice system to introduce modern values which may contradict established social/cultural norms
- Ongoing social and law enforcement challenges for FSW highlight the need for continued investment in sex work advocacy and community building.



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