

INTRODUCTION

Sex work regulation policies influence HIV risk, prevention and harms faced by sex workers.¹ In México, sex work has a quasi-legal status and it takes place in a heterogeneous legal environment where each state is responsible for implementing its own form of regulation.² As a consequence different forms of regulation exist in the country, with different implications on sex workers' (SW) HIV prevention and risk practices, as well as the harms and protections they face.

The U.S.-México border region has an emerging HIV epidemic concentrated in key populations, of which female sex workers (FSW) are one of the groups most at risk of infection.³ The sister border cities of Tijuana/San Diego and Ciudad (Cd.) Juárez/El Paso, share a similar history in their development and cross-border relationships, including a recent period of drug-related violence, and being located on routes for migration, human trafficking and drug trafficking.⁴ While sex work exists in both cities, the policies affecting its practice differ.

This study analyzed the experiences of female sex workers (FSW) in two cities on the U.S.-México border, Tijuana and Ciudad Juárez, which operate different forms of regulation: 1) officially sanctioned compulsive registration and HIV/STI testing and 2) unsanctioned policing of sex workers, respectively.

Tijuana	Ciudad Juárez
<ul style="list-style-type: none"> Sex work is regulated by Municipal Health Authority Requires registration of sex workers Compulsory testing for HIV and STI Payment for registration, renovation and periodic tests. Approximately 9,000 FSW in the city, about 3,000 are registered. 	<ul style="list-style-type: none"> No officially sanctioned regulation system exists Policing is reported by sex workers as a form of regulation. Require proof of HIV- status, payment of unsanctioned quotas to be allowed to work.

The focus of this analysis is on FSWs experiences under these two distinct regulation strategies and the implications for HIV risk, harms and preventions practices in these contexts.

METHODS

- ❖ Semi-structured interviews (N=34) with female sex workers (FSW) in Tijuana (n=17) and Ciudad Juárez (n=17) were conducted as part of a larger longitudinal cohort, mixed-methods study in 2014. All participants were 18+ years old.
- ❖ Selection was purposive with the aim to represent diverse range of experiences
- ❖ Themes explored included decisions behind choice of work venue, perceived risks in work venue, ways in which participants respond to risk.
- ❖ Interview transcripts were analyzed following the principles of grounded theory,⁵ undergoing different levels of codification in order to identify harm reduction strategies put in place by FSWs in different work venues and the risk situations that limit or enable them.

RESULTS

Table 1. FSW's sociodemographic characteristics in Tijuana and Ciudad Juárez

Characteristics	Tijuana (n=17)	Ciudad Juárez (n=17)
Age (mean, range)	36 (22-52)	34 (20-45)
Completed secondary education	6 (35.2%)	7 (41.1%)
Years in sex work (mean)	11 (64.7%)	12 (70.5%)
Number of children (mean, range)	3 (1-4)	3 (1-4)
Deported from U.S.	1 (5.8%)	5 (29.4%)
HIV positive	1 (5.8%)	4 (23.5%)
Heroin use	4 (23.5%)	2 (11.7%)

Table 2. Key findings

- ❖ In Tijuana registration requirement imposes an economic burden on FSWs.
- ❖ FSWs most at risk (i.e. drug users, living with HIV) are excluded from registration.
- ❖ Registration and compulsory testing does not change working conditions.
- ❖ In both cities policing works as a form of physical, social and spatial regulation of sex work.
- ❖ Require bribes and sexual favors to allow FSW to work.
- ❖ FSW who use drugs report greater police harassment, being targeted for visible track marks of heroin injection.

Theme 1: Barriers and consequences of registration

- ❖ Payment for registration and testing can exclude some women with lower incomes
- ❖ Registration brings few benefits to FSW (i.e. not being arrested)

"...sometimes I fail with the payments because sometimes there's not enough work here anymore, I make enough to take home. Now, imagine having to pay for the tests. It's just that now we are getting checked more, if we are caught without the [work] card they take us [to jail] for 72 hours." (FSW, 39 years old, Tijuana)

P: Because I haven't had the money. They give you the card every year, I think. And when it expires...you renew it and you pay again.
Q: If you had the card, what would be the benefit for you?...
P: Nothing, only not being taken by the health authorities when they check for the cards." (FSW, 26 years old, Tijuana)

Theme 2: Police violence as regulation

- ❖ In the form of police harassment, arbitrary stops on the street
- ❖ Payment of unsanctioned quotas to police
- ❖ Fear of arrest and/or sexual abuse

"They [police] ask for free sex, or they take you, or threaten to take you to La Veinte (municipal jail) because you don't have a work card, or because you know you're not supposed to be working, or they think you use drugs or you look like a junkie" (FSW, 36 years old, Tijuana)

"They [police] have never taken me, but they have stopped us, like the other day the police went to our house and saw us all -they know what we do, they know what our job is and what we are doing at home, they go for their quotas, to ask us for money to let us keep working." (FSW, 23 years old, Cd. Juárez)

Theme 3: Containment and displacement

- ❖ Policing and registration regulation regimes work to contain and/or displace FSW physically, spatially and socially.

Q: What happened? Why did you decide to move and work in a hotel?
P: Because the police began harassing us too much. They began telling us, sex workers on the streets that they wanted to see us in one place...because sometimes, they felt that we were giving a bad image by being there walking...that's why I went to the hotel [to work]." (FSW, 42 years old, Cd. Juárez)

Theme 4: Proof of HIV status as barrier to work

- ❖ FSW in Cd. Juárez need to present proof of STD testing and -HIV status to police to not be arrested.
- ❖ Registration in Tijuana requires FSW to be tested periodically for

"P: In that hotel the police don't bother us because we show them our [STD-HIV] tests results and analysis, so they respect us...we are allowed to work at the Sevilla [hotel], right? Every six months we go renew it to CAPACITS, the HIV Attention Center, AIDS, syphilis, gonorrhea and everything. That's where we get tested and they give us a paper with our photo, right? That's our quote-on-quote work permit for us sex workers.

Q: What do you mean quote on quote?

P: Well yeah, because with that you can show it to the authorities or a client" (FSW, 42, Cd. Juárez)

CONCLUSIONS

- ❖ Compulsory testing of HIV-STIs requirement in Tijuana and the required payment for registration excludes FSW most at risk. The system works to surveil HIV and STIs among FSW, but has no intervention in the working conditions that places them at risk of infection.
- ❖ The current forms of regulation in both cities limit the capacity of sex workers to practice HIV prevention and engage in sex work in an environment where they can exert greater control.
- ❖ Considering the burden of HIV on this population in this region, sex work regulation policies need to move beyond policing and surveillance of HIV-STIs and be reoriented towards the promotion of sex workers' rights, HIV prevention and harm reduction strategies.
- ❖ The forms of regulation explored in this study through the lived experiences of FSWs in the U.S.-México border region make evident that social and structural violence are embedded in the regulation of sex work in this region.
- ❖ Public health strategies targeting this population must address the limitations that different forms of sanctioned and un-sanctioned regulation impose on FSWs safety, and practice of HIV prevention; as well as the role these systems play in generating the same conditions that place FSWs at risk.

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