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## PLIGHT OF HIV INFECTED GENDER VICTIMS: REMEDIAL APPROACHES

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### ABSTRACT

HIV and AIDS are becoming a serious public health issue both in developed and developing countries. The main reason for HIV and AIDS is the connection between gender inequality and vulnerability. 21<sup>st</sup> century is facing a dramatic increase in the number of young women being infected by HIV. Due to economic hardship, women and girls become more vulnerable to prostitution, trafficking and transactional sex. In India, the sex ratio of 933 women to 1600 men is one of factor for the rapid spread of HIV in women. The reason behind this is strong son preference and the widespread sex selective abortion that is prevalent in the country. In recent survey it is found that HIV is easily transmitted from men to women than from women to men. The biological study has shown that young women are more susceptible to HIV infection than older women. The biological, socio-cultural and economic factors increase HIV in women and young girls. In India, women are primarily responsible for the domestic work. When they are infected by HIV, their family is affected severely. This paper mainly aims to prevent the spread of HIV due to prostitution, poverty and economic dependency on men. The main desideratum of the author is to suggest remedial approaches in controlling the spread of HIV and AIDS among the minority group, especially women such as educating women, preventive methods for female to control HIV etc. This study attempts to assess the impact of HIV and AIDS on women and girls in India. Thus it helps in adoption of value based perspectives to achieve women's rights.

**Keywords:** Gender inequality, Poverty, Prostitution, Trafficking, Transactional sex, Vulnerability.

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## INTRODUCTION

India ranks third in high HIV and AIDS population after Nigeria and South Africa. From the starting period of HIV epidemic, women have been extravagantly affected by HIV in many regions. In particular, young women and adolescent girls are exposed to HIV infections disproportionately. This is because of their unequal cultural, social and economic status in the society. As compared to men, young women are twice as likely affected by the deadly disease. The most important factor that exposes young women to HIV is heterosexual intercourse. In this article, the author aims to point out the situations in which women are exposed to HIV, symptoms of HIV in women, legal protection given to HIV positive women and sex workers and finally the remedial measures to prevent HIV transmission among women who are the weaker sex in the society.

## SITUATIONS IN WHICH WOMEN ARE EXPOSED TO HIV

Factors such as biological, socio-cultural and economic make women and young girls more prone to HIV<sup>2</sup> and AIDS<sup>3</sup>. Women become prone to HIV mainly by sexual transmission<sup>4</sup> or perinatal transmission<sup>5</sup> or blood transmission<sup>6</sup>. The major source of infection is by heterosexual transmission. In the report given by UNICEF<sup>7</sup>, it is said that male to female transmission of HIV and AIDS is about twice as likely as female to male transmission. The relation between gender inequality and vulnerability to HIV and AIDS is increasing nowadays. In fact gender inequality and poverty are the main reason for spread of HIV on women. Some of the important factors which increase the risk of HIV in women are as follows.

- Economic hardships
- Poverty
- Prostitution

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<sup>2</sup> HIV means Human Immuno deficiency Virus which attacks the T-cells (CD-4 cells) in the immune system. The rate of virus progression varies widely between individuals and depends on many factors; These factors include the age of the patient, the body's ability to defend against HIV, access to healthcare, existence of other infections, the infected person's genetic inheritance, resistance to certain strains of HIV, and more.

<sup>3</sup> AIDS means Acquired Immuno Deficiency Syndrome which appears in the advanced stage of HIV infection.

<sup>4</sup> It can happen when there is contact with infected sexual fluids (rectal, genital, or oral mucous membranes). This can happen while having unprotected sex, including vaginal, oral, and anal sex, or sharing sex toys with someone infected with HIV.

<sup>5</sup> A mother can pass the infection on to her child during childbirth, pregnancy, and also through breastfeeding.

<sup>6</sup> The risk of transmitting HIV through blood transfusion is nowadays extremely low in developed countries, due to meticulous screening and precautions. However, among injection or drug users, sharing and reusing syringes contaminated with HIV-infected blood is extremely hazardous.

<sup>7</sup> (UNICEF, 2005; Zena A. Stein and Kuhn Lousie 1996; Dixit A.P. 2005).

- Trafficking
- Transactional sex
- Early marriage
- Migration
- Lack of education
- Gender discrimination
- Lack of access to health care services

## SYMPTOMS OF HIV IN WOMEN

Initially women infected with HIV have no symptoms. After one or two months, these women who are exposed to the virus may have flu like illness such as fever, headache, tiredness and enlarged lymph nodes. These infections disappear within few days and are often treated as other viral infections. During this asymptomatic period, the virus remains active in the women's body and it may also be passed to other persons. Severe symptoms of HIV may not even appear for 10 years or more. As day's passes, the immune system worsens and a variety of complications start to occur. This includes lack of energy or fatigue, weight loss, frequent low grade fever and night sweats, frequent yeast infections in mouth, skin rashes that is hard to heal, short term memory loss, vaginal yeast infections, other vaginal infections such as bacterial vaginosis<sup>8</sup> and other common sexually transmitted diseases (STD's) such as Gonorrhoea<sup>9</sup>, Chlamydia<sup>10</sup> and Trichomoniasis<sup>11</sup> and Human Papilloma Virus<sup>12</sup> (HPV) infection that cause genital warts and can lead to cervical cancer, Pelvic Inflammatory

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<sup>8</sup> It is a disease of the vagina caused by excessive growth of bacteria. It is caused due to the imbalance of the naturally occurring bacteria in the vagina.

<sup>9</sup> **Gonorrhoea** is a bacterial sexually transmitted infection (STI). It can be painful and, if it's not treated early, it can cause painful complications and serious health problems. Gonorrhoea is caused by bacteria (tiny living cells) called *Neisseria gonorrhoeae*. They can live in the uterus, the cervix, the urethra, the rectum, the throat and occasionally the eyes. Also refer <https://www.fpa.org.uk>.

<sup>10</sup> Chlamydia is a common sexually transmitted disease. It is caused by bacteria called Chlamydia trachomatis. It can infect both men and women. Women can get chlamydia in the cervix, rectum, or throat. One can get chlamydia during oral, vaginal, or anal sex with someone who has the infection. A woman can also pass chlamydia to her baby during childbirth. Chlamydia is more common in young people, especially young women. Also refer <https://medlineplus.gov>.

<sup>11</sup> Trichomoniasis is a very common sexually transmitted disease (STD). It is caused by infection with a protozoan parasite called *Trichomonas vaginalis*. The parasite passes from an infected person to an uninfected person during sex. In women, the most commonly infected part of the body is the lower genital tract (vulva, vagina, cervix or urethra). Also refer <https://www.cdc.gov>.

<sup>12</sup> Human Papilloma Virus is the most common sexually transmitted infection. HPV is different virus compared to HIV and HSV (Herpes). Also refer <https://www.cdc.gov>.

Disease<sup>13</sup> (PID) and other infection in women's reproductive organs and menstrual cycle changes such as not having periods.

### **POVERTY AND HIV IN WOMEN**

Poverty increases the risk of HIV and AIDS in women. Poverty drives them to exchange sex for food and sex work for survival. Lack of control by the poor women during intercourse may increase the risk of HIV in them. Due to lack of access to health services, the infections and lesions are left untreated. This is an easy way for quick transmission of the virus into the body of poor women. Due to malnutrition, the healing process slows down and it also depresses the immune system. The poor women are at the risk of HIV mainly because of transactional sex, intergenerational sex, early marriage and also relationships that expose them to abuse and violence. The risk of trafficking and sexual exploitation is higher for young women and adolescent girls who are living in poverty.<sup>14</sup>

Food insecurity is the barrier to treatment for women living with HIV and this increases the risk of HIV. It is to be noted that HIV is not a disease of poor people. Poor people are often affected by malnutrition<sup>15</sup>, malaria<sup>16</sup>, tuberculosis<sup>17</sup>, bilharzias<sup>18</sup> infections and other parasites. These diseases have suppressed the immunity in the poor people and this causes increased risk of HIV in poor people. Thus poverty increases the vulnerability and it also enhances transmissibility of HIV and AIDS in poor people. The poor people are under the pressure of meeting their immediate needs because they must live for the present. They do not bother about their future and thus they do not appreciate to protect themselves from HIV infection.

### **PROSTITUTION AND HIV IN WOMEN**

Some women engage voluntarily in prostitution while others are coerced into sex work through

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<sup>13</sup> It is an infection on the upper part of the female reproductive system namely the uterus, fallopian tubes and ovaries and inside the pelvis. Often there may be no symptoms.

<sup>14</sup> UNAIDS (2015) 'Empower young women and adolescent girls: Fast-Track the end of the AIDS epidemic in Africa' (Pdf).

<sup>15</sup> HIV mostly affects populations where malnutrition is endemic. As nutrition helps maintain the immune system and sustain physical activity, the World Health Organization has recommended that any comprehensive program for HIV and AIDS include nutritional support.

<sup>16</sup> Malaria and HIV combined; it causes more than 2 million deaths each year. The pregnant women are at high risk. Interactions between these two infections have serious consequence on pregnant women.

<sup>17</sup> Tuberculosis is an opportunistic infection and it occurs more often in people with weakened immune systems. As HIV weakens the immune system, it increases the risk of tuberculosis in people with AIDS.

<sup>18</sup> Bilharzia also known as Schistosomiasis or snail fever, is a disease caused by parasitic flat worms called schistosomes. The urinary tract or intestines will be affected. Female genital schistosomiasis is a special form of urinary schistosomiasis.

trafficking.<sup>19</sup> Those women who are coerced into sex work often experience physical and sexual violence during sex work and after being trafficked into sex work. It is to be taken into account that in certain countries, activities such as rescue raids in sex establishments have aggravated violence against the sex workers.

Sex workers are 10 times more likely to become infected with HIV than other people in general.<sup>20</sup> This varies between regions and countries. There are many factors which increase the vulnerability to HIV in sex workers. Most of the sex workers are migrants and others move on within their places and they often face difficulties to avail health services. They also face cultural, social, legal and linguistic obstacles to access services and information. Many women experience violence on the streets or in their personal lives when they are engaged in sex work that increases their vulnerability to HIV and other health issues.<sup>21</sup> HIV infection easily transmits to sex workers because they do not have access to preventive measures. Rapes which may be frequent or gang rape by persons who are engaged in high risk behaviours can directly increase the risk of HIV in women through vaginal trauma<sup>22</sup> and lacerations<sup>23</sup>.

The sex workers are often surrounded by gatekeepers<sup>24</sup>. Most of the women become vulnerable to HIV mainly by these gatekeepers because they control them. They limit the amount to be charged by the sex workers, whether the sex worker should take on a particular client or not, whether the sex worker can or cannot insist on the use of preventive measures etc. In countries such as Eastern Europe and Central Asia, there are sex workers who inject drugs.<sup>25</sup> These women who inject drugs and sell sex are experiencing the fastest increase in HIV due to unprotected sex and needle sharing<sup>26</sup>.

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<sup>19</sup> Cler-Cunningham L and Christerson C (2001). Studying violence to stop it. Research for Sex Work.

Thukral J and Ditmore M (2003). Revolving door: An analysis of street-based prostitution in New York City, USA, Urban Justice Center.

<sup>20</sup>UNAIDS (2016) 'Prevention Gap Report' (Pdf).

<sup>21</sup> World Health Organisation: A UNAIDS Initiative, The Global Coalition on women and AIDS, "Violence against women and HIV/AIDS: Critical Intersections".

<sup>22</sup> Genital trauma is defined as any injury to the female genital area including the labia, vulva or the vagina.

<sup>23</sup> Vaginal lacerations are tears in the vagina or in the skin and muscle around the vaginal opening. The tears mostly occur in the perineum which is the area between the anus and the opening of the vagina.

<sup>24</sup> The gatekeepers are often owners of sex establishments, managers, clients, intimate partners, law enforcement authorities and other local brokers.

<sup>25</sup> Alexander P (1998). Sex work and health: a question of safety in the workplace. Journal of the American Women's Medical Association.

<sup>26</sup> Needle sharing is the practice of intravenous drug users by which a syringe is shared by multiple individuals to administer intravenous drugs, and is a primary vector for diseases which can be transmitted through blood. People who inject drugs are at an increased risk for Hepatitis C and HIV because of needle sharing practices.

## **PLIGHT OF WOMEN INFECTED BY HIV**

Women in India are primarily responsible for the domestic work. HIV positive women have to fight for right to life. They have to fight for their children and they are also fighting against all odds. These women are many times abused sexually and are tortured by people whom they consider as saviours. When they ask for help, they are welcomed and helped only by abusing their rights. India has the third largest HIV cases as compared to United States and other African countries. The rate of infection in women is at an increased rate than that of men. In a study undertaken by the Harvard School of Public Health, it was found that married Indian women who experience physical and sexual abuse by their husbands were found to be approximately four times more likely to become infected with HIV than married women who were not abused.

## **LEGAL PROTECTION FOR HIV INFECTED WOMEN**

Section 18 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017<sup>27</sup> explains about women and children infected with HIV or AIDS. Sex work is partially legal in some countries and the law rarely protects the sex workers. All over the world, there is severe lack of legislation and policies protecting the sex workers who are facing the risk from the state and non-state actors which includes law enforcement, partners, family and their clients.<sup>28</sup> During the early stages, when HIV was epidemic, number of states implemented HIV specific criminal laws. These laws criminalised people who spread HIV knowingly. After reporting the first AIDS case in the year 1986, the Government of India established the National AIDS Control Program<sup>29</sup> (NACP). It has now become the Department of AIDS under the Ministry of Health and Family Welfare. The National AIDS Control Organization<sup>30</sup> (NACO) which is a semi-autonomous body was established under the Ministry of Health and Family Welfare to implement the NACP.

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<sup>27</sup> Act No.16 of 2017, 20<sup>th</sup> April 2017.

<sup>28</sup> UNAIDS (2010) 'UNAIDS report on the Global AIDS epidemic'.

<sup>29</sup> The National AIDS Control Programme (NACP), launched in 1992, is being implemented as a comprehensive programme for prevention and control of HIV/AIDS in India. In 1992, the Government launched the first National AIDS Control Programme (NACPI) with an IDA Credit of USD84 million and demonstrated its commitment to combat the disease. Also refer [www.naco.gov.in](http://www.naco.gov.in).

<sup>30</sup> The National AIDS Control Organisation (NACO), established in 1992 is a division of India's Ministry of Health and Family Welfare that provides leadership to HIV/AIDS control programme in India through 35 HIV/AIDS Prevention and Control Societies, and is "the nodal organisation for formulation of policy and implementation of programs for prevention and control of HIV/AIDS in India. Also refer [www.naco.gov.in](http://www.naco.gov.in).

- The “First phase” of the National AIDS Control Program was from 1992 – 1999. It mainly focused on blood safety. This phase has achieved its objectives and increased the awareness among people.
- The “Second phase” began in 1999 which aimed at promoting behaviour change to stop the spread of HIV such as conducting programs for preventing HIV transmission from mothers to children.
- The “Third phase” of NACP began in the year 2007. It was aimed to achieve a high coverage at risk groups. Partnerships with many civil society organisations were an important part of this program.
- On the end of NACP III, the Government of India has realized their improvements and designed their program activities for NACP IV. The focus of the phase IV will be on prevention of HIV through NGOs and make available provision of Anti-Retroviral Treatment (ART)<sup>31</sup>, STI services and treatment of opportunistic infections through the National Rural Health Mission.

Many sex workers consider violence against them as ‘normal’ or ‘part of the job’ and they do not have information about their rights. As a result of this, they are averse to report the incidents of rapes, beatings, molestation or sexual assault which they face every day. Even if they report, their claims are often dismissed. Laws governing prostitution and law enforcement authorities play an important role against the violence experienced by the sex workers. In most of the countries, “Prostitution is not illegal but procurement of sex workers and soliciting in public is illegal”. In 2014, nearly 143 countries have guaranteed equality between men and women in their Constitutions. 132 countries have equalised the minimum age of marriage at 18 years or older without parental consent. 119 countries have passed legislation on domestic violence and 125 countries have passed laws to make workplace and public places safer for women by prohibiting sexual harassment.<sup>32</sup>

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<sup>31</sup> Anti Retroviral Treatment is Combination of several antiretroviral medicines used to slow the rate at which HIV makes copies of itself (multiplies) in the body. A combination of three or more antiretroviral medicines is more effective than using just one medicine (monotherapy) to treat HIV. The use of three or more antiretroviral medicines-sometimes referred to as an anti-HIV "cocktail"-is currently the standard treatment for HIV infection. So far, this treatment offers the best chance of preventing HIV from multiplying, which allows your immune system to stay healthy. The goal of antiretroviral therapy is to reduce the amount of virus in your body (viral load) to a level that can no longer be detected with current blood tests. Also refer <https://www.webmd.com>.

<sup>32</sup>UN Women (2016) ‘Progress of the world’s women 2015-2016: Transforming economies, realizing rights’. (Pdf).

## **SOCIETY'S TREATMENT ON HIV INFECTED WOMEN**

Sex workers are often marginalised, stigmatized and criminalised by the societies in which they live and most often these factors increase the vulnerability of HIV in them. It is considered by the society that the sex workers are spreading the HIV virus to the rest of the society. Most of the women infected with HIV are isolated, rejected and blamed by the society. The infected person is treated unequally and unfairly. Discrimination and stigma<sup>33</sup> seriously affect the people infected with HIV. Because of this, many women are afraid to disclose that they are HIV positive and do not take proper treatment at the earlier stages which increases the risk. The fear of stigma and discrimination causes denial, secrecy, depression and shame in these women. They think that disclosing the truth may cause them to lose the family support and health care provision. This stigma may be social stigma or self stigma. Sometimes these women are self isolated and in many cases, their family, relatives, friends and community rejects them. They blame the women for sexual deviances and adultery.

## **REMEDIAL MEASURES**

A number of programs have been organised to reduce the violence faced by sex workers at various levels. In order to control the vulnerability of HIV in women, they must be made to know about the risk of HIV, the availability of preventive measures and access to information. This can be done by providing education to women and young girls. Safety tips and awareness must be created in the minds of the sex workers in order to get rid of HIV. They must be informed about their legal rights during police raids. The Central Government and the State Government should formulate HIV and AIDS related information, education and communication programs that are age appropriate, gender-sensitive, non-stigmatising and non-discriminatory<sup>34</sup>. The women who are the weaker sex must be trained in self defence and they must be provided with alarms to avoid violence against them. Deterrent sprays may help sex workers from defending themselves in the event of attack.

Efforts to reduce violence against women should include organizing and mobilizing sex workers to fight for their civil and human rights. Women and girls affected with HIV must be

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<sup>33</sup> The presence of stigma and discrimination inevitably leads to significant physical, psychological, and economical side effects. The stigma permeates and disintegrates social structure. Also refer Cooperman NA, Simoni JM. Suicidal ideation and attempted suicide among women living with HIV/AIDS. *J Behav Med.* 2005;28(2):149–156. [PubMed].

<sup>34</sup> Section 17 of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (Prevention and Control) Act, 2017 – Promotion of HIV and AIDS related information, education and communication programs.



given access to anti-retroviral medicines that will save their lives. Laws and policies must be enacted which suggest on gender equality that helps to create an environment, increasing the success and sustainability of efforts to reduce violence against women and their vulnerability to HIV. Of all the remedial measures, the most important is these women must be treated in the society as every other human beings and their family, friends, relatives and community must always support them. They must not be left alone or rejected from the community.

## **FINDINGS OF THE STUDY**

From this study, the following points have been identified that women are more vulnerable to HIV and AIDS than men because:

- Women are often infected by HIV due to sexual encounter because of their biological nature of the process and the vulnerability of the tissues in the reproductive tract to the virus especially in women.
- Many Factors such as cultural, social and economic expose women to HIV infection than men. Women cannot negotiate for safer sex due to many factors which includes the economic dependency, lower status and fear of violence.
- Often women and girls have the burden of caring for their sick family members. But when these women get infected by the virus they get less care and support from their family.
- Women who are HIV positive are often discriminated by the society and are rejected from the society, expelled from their family. They are denied of basic treatment, care and human rights.
- Most of the women are infected by the virus mainly due to heterosexual intercourse, parent to child transmission, injecting drug use and needle sharing and as a result of contaminated blood given during transfusion.
- The plight of these HIV infected gender victims are very worse as they have to take care of their family even when they are infected. Some women are rejected by the society which often increases the vulnerability to HIV.

## **SUGGESSTIONS**

- In many schools today, sex education is left to the discretion of the educational authorities. This sex education must be made compulsory which decreases the risk of

HIV among the adolescent girls. Female students can be educated by showing the seriousness of the disease by way of drama or by storytelling.

- Laws must be enacted which safeguards women against violence and they must be given their basic rights to negotiate safe sex. Use of preventive measures by the sex workers must be made mandatory.
- Improved health education and public awareness must be created to adopt measures that will limit the transmission of virus including safe sex by using condoms, monogamy and use of safe blood products.
- Many National Women's Machineries must be formed which play a key role in safeguarding the position of HIV and AIDS infected women.
- The families of the HIV infected women must extend their support to them by providing adequate treatment to them at the earlier stage and they should not reject them from the society or blame them for the infection.

## **CONCLUSION**

### **BEST DEFENCE IS A GOOD OFFENCE**

Violence against women is not only widespread; it is also accepted and legitimized by many people in the society. In order to reduce the plight of HIV infected women, the only way is to educate them. Even though women are dependent on men for their needs, educating women is the need of the hour. This is because education provides them a mental stability and they will know about their own rights in the society so that they no longer are dependent on man for their needs. As we are celebrating the Women's Day, every country and each and every individual must set specific targets for treatment of women and girls who are HIV positive and access to AIDS prevention and treatment must be made available. Promoting economic empowerment among women and preventing poverty may reduce the risk of HIV in women.