

FOR IMMEDIATE RELEASE:

May 18, 2005

CONTACT:

Jodi L. Jacobson, jjacobson@genderhealth.org, 301-270-1182 (o); 301-257-7897 (c)

Sarah Heaton, sheaton@genderhealth.org, 301-270-1182 (o)

Restrictive U.S. Policies Undermine Anti-AIDS Efforts

Mandatory 'Anti-Prostitution Pledge' Threatens Lives of Sex Workers and Trafficking Victims

(Washington, May 18, 2005) The U.S. government is trying to withhold anti-HIV/AIDS funding unless both U.S.-based and foreign organizations adopt policies that explicitly oppose all forms of prostitution, more than 200 organizations and individuals said today in a letter to U.S. President George W. Bush. Some of the organizations are going to hold an audio press conference next week.

The Washington Post, in today's edition, notes the Administration has pulled back from applying the policy to the grantees of multilateral groups to which the US contributes. But, the policy is still in place for the majority of groups receiving funding from the US to address AIDS and trafficking.

This requirement for foreign organizations was mandated by the 2003 Global AIDS Act and 2003 amendments to the Trafficking Victims Protection Act. Now, the U.S. Justice Department has argued in an opinion letter that U.S.-based organizations should also be bound by this requirement.

"The so-called 'anti-prostitution pledge' was originally applied to foreign organizations," said Jodi Jacobson, Executive Director of the Center for Health and Gender Equity. "But in a sweeping reinterpretation of the policy, the Bush administration is now requiring U.S.-based organizations to adopt this pledge. We oppose the application to both sets of groups."

"None of these organizations promotes prostitution," said Jacobson. "Instead, they use advocacy and other strategies to address violence against sex workers, reduce their social isolation, and increase their access to health services."

"Because of their simplistic wording," said Jacobson, "people with good intentions vote for such laws, without realizing the dangerous implications for real people, and for public health and human rights."

Penny Saunders, of the Network of Sex Work Projects, said any anti-prostitution declaration by anti-HIV/AIDS organizations targeting sex workers has the potential to alienate the very people these organizations seek to assist. "The 'anti-prostitution pledge' makes it difficult or impossible to provide services or assistance to the people who are most at risk of HIV/AIDS."

"Evidence from India, Thailand and Cambodia shows that these restrictions have already undermined promising interventions," said Alice Miller, Assistant Professor of Clinical Public Health at Columbia University. "In Cambodia, for example, NGOs discontinued plans to provide English-language classes – which could provide a path out of sex work – for fear that they would be seen as 'promoting prostitution.'"

Earlier this month, Brazil rejected \$US40 million in anti-HIV/AIDS grants because the Bush administration conditioned funding for organizations on their adoption of a pledge opposing commercial sex work. Dr. Pedro Chequer, head of Brazil's national AIDS program, criticized the restrictions, noting that they could undermine the very programs responsible for Brazil's landmark success in reducing the spread of HIV.

The letter to President Bush points out that requiring domestic organizations with private and public funding to adopt positions consistent with U.S. government policy is a case of compelled speech, which is a violation of the First Amendment.

“The U.S. government’s ‘anti-prostitution’ pledge not only undermines its global efforts against HIV/AIDS,” said Rebecca Schleifer, researcher with Human Rights Watch’s HIV/AIDS Program. “It also undermines the fundamental right of sex workers and trafficking victims to receive lifesaving information about HIV/AIDS. And it violates freedom of speech for anti-HIV/AIDS groups working with these high-risk groups.”

The letter urges Bush to reconsider the interpretation of anti-prostitution clauses in U.S. global anti-AIDS and anti-trafficking laws, consult with a broad range of experts in crafting policy and guidance. It says the President should work with Congress to amend the laws to be consistent with the U.S. Constitution, international human rights law and best practices in public health.

###

The Center for Health and Gender Equity is a U.S.-based international reproductive health and rights organization. We seek to make public health and human rights principles integral to all relevant U.S. international population and health policies and programs.