



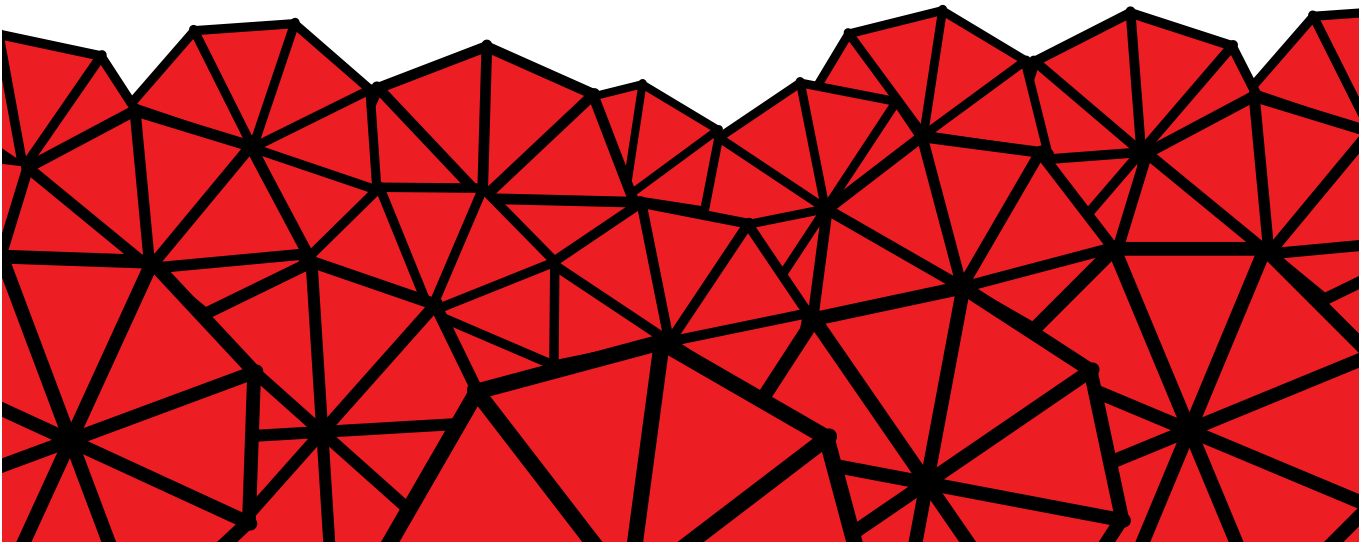
nswp

Global Network of Sex Work Projects
Promoting Health and Human Rights

**BRIEFING
PAPER**

**#01 PEPFAR and
sex work:**

a summary



PEPFAR and sex work: *a summary*

PEPFAR stands for the President's Emergency Plan for AIDS Relief. This is the US government funding made available for HIV and AIDS programmes. It supports prevention, care and treatment in over 150 countries.

PEPFAR has made anti-retroviral treatment (ART) available for many people, including sex workers. However, PEPFAR funding contracts with organisations specify that a certain amount of this money be spent on abstinence programming. Contracts include a clause that the organisation accepting funding is opposed to prostitution.¹ This has been called the 'anti-prostitution pledge' (APP) or 'anti-prostitution loyalty oath' (APLO). If an organisation receives funding directly from the US government, all aspects of their work even that which is funded by another donor, is subject to the pledge.

Contracts include a clause that the organisation accepting funding is opposed to prostitution

How the pledge affects sex worker organisations and HIV programming with sex workers

The effects of the pledge on sex work programming are varied. Grantees are not allowed to speak freely about changing criminal law addressing sex work. This is counter to UN recommendations in HIV prevention for sex workers.²

Some sex worker organisations have turned down US funding because of the pledge. Others with US funding have tried hard not to violate the pledge by censoring themselves. Some organisations have used the pledge to discriminate against sex workers, claiming that any work carried out with sex workers, irrespective of its perspective, violates the pledge. Lack of clarity in implementing the pledge has enabled some sex work organisations to define their work the way they believe it should be done, while still accepting US funding. This has often been assisted by the local presence of a supportive US funding officer. Hence, much depends on the support (or obstruction) of the individual administering funding.

While the restrictions bar organisations from utilising US funds to "promote or advocate the legalisation or practice of prostitution or sex trafficking", simultaneously an anti-discrimination clause states that US policy cannot be used as grounds to deny people care and services. The head of US government international AIDS programmes has stated that sex workers should be treated as people who need services, and that sex workers should not be discriminated against.³

¹ The exact language in the contracts states that the recipient is "opposed to prostitution and sex trafficking because of the psychological and physical risks they pose for women, men and children."

² Ban Ki-moon, Secretary-General of the United Nations (2008), address to the International AIDS Conference, Mexico City.

³ Straight talk with Eric Goosby, head of PEPFAR, PlusNews, 26 July 2010.

Groups should understand PEPFAR restrictions before accepting US funding. It is important to speak frankly with a programme officer before accepting funding. Some groups may find it better not to accept US money. The NSWP rejects membership applications from organisations that have signed the pledge.

Effects on programming and organising

It is difficult to know what works for HIV prevention with sex workers because good programming with sex workers has been suppressed by the pledge. Because organisations working with sex workers may hide this fact, it becomes impossible to know which organisations

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are working with sex workers. Words such as ‘vulnerable women’ are used instead of ‘sex workers’. Good programmes that have documented their effectiveness have not been scaled up or publicised. Additionally, the pledge has suppressed research about issues affecting sex workers. Researchers have become frustrated with recommending evidence-based practices that run counter to the pledge, and are therefore ignored. The body of knowledge about what works for HIV and AIDS with sex workers has suffered because the pledge has prevented discussion of work with sex workers. This will take years to remedy.⁴

PEPFAR funds have supported programmes such as faithfulness campaigns and rehabilitation that are not evidence-based and even counter to evidence about what works in HIV prevention for sex workers.

Effects on sex workers

The effects of PEPFAR restrictions on sex workers include:

- Denial of services to sex workers of all genders, in a variety of venues;
- Closure of dedicated services for sex workers;
- More stigma and discrimination against sex workers in health care settings, NGOs, government settings and networks.

What can be done?

Within the context of the pledge, the anti-discrimination clause may be the best tool for sex workers to combat discrimination at US-government funded services. Awareness information can be disseminated to sex workers concerning discriminatory practices at US-funded services. Sex workers should document instances of discrimination and use this to advocate for rights and evidence-based programming on HIV and AIDS. Reports of sex workers being unwelcome at HIV services or organisations can be sent to NSWP (secretariat@nswp.org) and to the US government representative who said that sex workers will be “embraced” at all programme sites (SGAC_Public_Affairs@state.gov).

⁴ M. Dittmore & D. Allman (2011), *Sacrificing harm reduction practice to moral ideology: the example of the USAID anti-prostitution pledge*, presentation to the International Harm Reduction Association, Beirut.